
INTERVIEW OF BRIAN McNAMEE

DECEMBER 12, 2007

INTERVIEWED BY: JIM YARBROUGH
JOHN "BILLY" BELK
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B.M. Interview - 12-12-2007

Page 2

1 SPEAKER IDENTIFICATION:
2 JIM YARBROUGH - QUESTION
3 BRIAN McNAMEE - ANSWER
4 BILLY BELK - BILLY BELK
5 INTERVIEW OF BRIAN McNAMEE
6 DECEMBER 12, 2007
7
8 GPS SYSTEM: Approaching destination on
9 the right.
10 BILLY BELK: (Background noise.) 8688 --
11 that's a Lexus right there.
12 GPS SYSTEM: You have arrived.
13 BILLY BELK: (Background noise.) That's
14 probably his. There's a baseball cap in the back.
15 (Knock on door.)
16 JIM YARBROUGH: Hey, Brian, how are you
17 doing?
18 BRIAN McNAMEE: Fine. How are you?
19 (Inaudible - background noise.)
20 BILLY BELK: Billy Belk.
21 BRIAN McNAMEE: You're who?
22 BILLY BELK: Billy Belk.
23 BRIAN McNAMEE: How are you doing?
24 BILLY BELK: I'm doing all right. How are
25 you doing?

Page 3

1 BRIAN McNAMEE: I'm doing fine.
2 BILLY BELK: Now, is that water that way
3 and this way, too? Is that kind of an island?
4 BRIAN McNAMEE: That's the canal and
5 that's the Atlantic ocean.
6 BILLY BELK: It's not very wide, is it?
7 How long does the island go?
8 BRIAN McNAMEE: It goes out to the
9 (inaudible) which is further away from the canal and
10 then the Hamptons. I don't know if you're familiar
11 with the area south. The Hamptons is a big vacation
12 spot.
13 JIM YARBROUGH: The Hamptons is close to
14 here?
15 BRIAN McNAMEE: It's about 50 miles, just
16 straight east. How was your -- how was your ride?
17 JIM YARBROUGH: Oh, it was actually pretty
18 good. I went the wrong way when I came out of the
19 airport. I went out and went to the right. I always
20 have -- the GPS systems told me to turn
21 (inaudible-background noise) --
22 BRIAN McNAMEE: Right.
23 JIM YARBROUGH: Anyway, we made a U-turn
24 and got headed back the right way.
25 BRIAN McNAMEE: You're probably better off

Page 4

1 renting a car.
2 JIM YARBROUGH: Yeah, yeah, it's a nice
3 ride. Hey, Brian, can I use your rest room real
4 quick?
5 BRIAN McNAMEE: Sure. Do you want water,
6 soda -- the rest room is --
7 JIM YARBROUGH: I'll have some water.
8 BRIAN McNAMEE: I've got water, juice,
9 milk, soda, beer, uh, Red Bull.
10 BILLY BELK: I'll take some water -- some
11 bottled water. Jim was telling me that you were a
12 former New York police officer?
13 BRIAN McNAMEE: Yeah, I was a New York
14 City cop.
15 BILLY BELK: I was just retired from the
16 Houston Police Department, October 6th.
17 BRIAN McNAMEE: Yeah, you know what, I
18 always -- I always had a relationship with you guys.
19 You must have had a pretty good time.
20 BILLY BELK: Yeah, I really did, 30 years
21 with the department, and 25 of those 30 in the
22 homicide division. And it just kind of kept us
23 busy --
24 BRIAN McNAMEE: Yeah, my --
25 BILLY BELK: -- and kept a smile on a

Page 5

1 face.
2 BRIAN McNAMEE: Was it busy?
3 BILLY BELK: Oh, God, yes.
4 BRIAN McNAMEE: Yeah.
5 BILLY BELK: We - in Houston, we had some
6 of the most sensational murder cases in all the
7 country. It seems like we'd always -- we always had
8 them.
9 BRIAN McNAMEE: Yeah, the cop's service
10 was good to me. And my father was an Italian
11 inspector and then he went to work for the Feds. And
12 then my brother-in-law was a first-grade -- he
13 retired first-grade detective, which is the highest
14 ranking detective in New York. And he was in the
15 most glorified precinct, which is Midtown North; and
16 he was in homicide. And I was in -- I left when I
17 was -- when I was on the current (phonetic), which is
18 on the cover --
19 BILLY BELK: Right.
20 BRIAN McNAMEE: -- street patrol, which is
21 on the detective end, and that's when I -- I did that
22 for a year before I got out.
23 BILLY BELK: How long were you on the
24 department?
25 BRIAN McNAMEE: Three-and-a-half years.

2 (Pages 2 to 5)

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1 BILLY BELK: Three-and-a-half?
 2 BRIAN McNAMEE: Yeah.
 3 INTERVIEW BY JIM YARBROUGH:
 4 Q. When was that, Brian? What years were you --
 5 A. '90 to '93.
 6 Q. '90 to '93?
 7 A. Yeah. So, let's -- what are you guys doing?
 8 What are you trying to accomplish? And the only
 9 thing I can tell you is: I'm trying to help --
 10 Q. Right.
 11 A. -- the people that employ you --
 12 Q. Right.
 13 A. -- without -- now, the only thing this can do,
 14 is hurt me; because it can't hurt Roger and Andy. It
 15 can't hurt you guys. I mean, this is only going to
 16 hurt me.
 17 Q. And how do you -- how do you --
 18 A. So --
 19 Q. -- how do think it would hurt you?
 20 A. No, I'm just saying, if -- my -- by me doing
 21 this, if it got out --
 22 Q. Oh --
 23 A. -- or if it's found out, my point is: This
 24 can only stay the same or help Roger and Andy. This
 25 can't help me and it can only hurt me. So as far as

1 that's the whole problem. It's like "Well, what's --
 2 what are they going to say? What's coming out?"
 3 A. But that's -- we can talk -- we can talk as
 4 cops --
 5 Q. (BY JIM YARBROUGH) Yeah.
 6 A. -- but that's what I was trying to accomplish.
 7 Q. Yeah.
 8 A. But I wanted -- I wanted you guys -- like, who
 9 are you going back to report to?
 10 Q. We're going to go back and I'm going to report
 11 back to Rusty Hardin, who is the -- he's the guy that
 12 owns our law firm. It's a single partner firm.
 13 We've got about nine lawyers.
 14 A. And this is -- this is you? All right.
 15 Q. Yeah.
 16 A. Okay.
 17 Q. And Rusty represents Andy and Roger; and we
 18 were actually brought on board by Randy, their agent,
 19 Rusty was.
 20 A. And Randy's not an attorney?
 21 Q. Yeah, yeah.
 22 A. So what they -- he outsourced this?
 23 Q. Rusty's a --
 24 A. He subbed it out? He subbed this out?
 25 Q. Well, you've got to know -- I don't know if

1 you guys, you know that, I'm not going to -- I mean,
 2 obviously, I told you guys to come here because I
 3 want to help them.
 4 Uhm -- my attorney's been calling and
 5 calling and calling. The media's been calling. I
 6 can show the -- I can show you message after message
 7 from the media calling me. I was in the paper today,
 8 the Daily News -- uhm -- so with that said, I just --
 9 I want to know: What are you guys trying to
 10 accomplish so, maybe, we don't have to go through a
 11 whole --
 12 Q. Yeah.
 13 A. -- pedigree of stuff. But tell me what your
 14 goal is. I mean --
 15 Q. Well --
 16 A. -- I heard you.
 17 Q. And I'll -- and I'll try to be just as
 18 straight with you and upfront with you as I can,
 19 Brian. Our goal is simply on behalf of Roger and
 20 Andy to try to talk to you about the knowledge that
 21 you have concerning what may or may not come out in
 22 this Mitchell report.
 23 A. I know exactly what's going to come out.
 24 Q. Okay. Well, we don't.
 25 BILLY BELK: We don't know. I mean,

1 you did any research on Rusty. Rusty's a pretty high
 2 profile attorney? .
 3 A. I don't have the net.
 4 Q. Do what?
 5 A. Tomorrow I get Internet service.
 6 Q. Oh. He's a very high profile attorney, and
 7 I'll give you a little background on Rusty. Rusty's
 8 a former prosecutor with the Harris -- with Harris
 9 County District Attorney's Office. He was --
 10 A. Where is Harris County?
 11 Q. Houston.
 12 BILLY BELK: Houston. It's the County
 13 Houston sits inside. And it's the District
 14 Attorney's Office, it's county government.
 15 Q. (BY JIM YARBROUGH) So Rusty was -- it's a big
 16 -- it's a big office. There's -- there's over a
 17 hundred assistant -- assistant DA's there. Rusty was
 18 one of the top three guys in the DA's office when he
 19 left. I retired in 1991 with HPD.
 20 Rusty retired -- or he left the DA's
 21 office about six months before I retired. And he
 22 started up a law firm with some other guys that
 23 worked in the DA's office and then eventually, a
 24 little bit later, he split off on his own.
 25 A. Okay.

Page 10

1 Q. Rusty represented -- he's -- I'll give you a
2 couple of people that you would recognize that we've
3 represented. We represented Arthur Andersen, the
4 company, when the company filed on them criminal
5 charges. We represented Pierce Marshall on the Anna
6 Nicole Smith case. We've represented some of the pro
7 athletes in Houston from the -- mostly from Texans
8 and from the Rockets organization.
9 A. Mainly criminal side?
10 Q. That's what everybody sort of knows him from;
11 but, really, our practice probably is about 80
12 percent civil and about 20 percent criminal. But
13 because of the high profile criminal cases he gets,
14 most people sort of associate him as being a criminal
15 defense attorney?
16 A. Okay.
17 Q. But that's a little bit of a -- and I think
18 that Randy -- as you indicated, Randy is an attorney;
19 but I think Randy wanted someone that had some pretty
20 high public exposure to be able to deal with, you
21 know, whatever it is that's -- that is going to come
22 out or isn't going to come out with regards to Roger
23 and Andy.
24 A. And how long -- well, how long have you guys
25 been, uh, involved with this? Like, how soon since I

Page 11

1 called Murray, which was on --
2 Q. We just got involved.
3 A. Which is what day? What day -- today is --
4 Q. We just got involved over the weekend.
5 A. So the weekend. So, say Saturday -- Friday
6 and Saturday.
7 Q. I think it was Friday.
8 BILLY BELK: Friday evening is when we met
9 with Randy first.
10 A. All right. (Inaudible) My thing was, when I
11 called Murray, because -- what I did, was I called
12 Andy. Now, do you know how I contacted -- how the
13 whole, the -- how I contacted Murray and then Andy
14 and then Roger?
15 Q. (BY JIM YARBROUGH) No.
16 A. Okay. Uhm -- I would think you would want to
17 know that, right, just in case you get questioned on
18 it?
19 Q. Sure.
20 A. They did ask me if I was contacted or talked
21 to the Hendricks and so on and so forth. That was
22 with the FBI. Uhm, the -- I called Murray when I
23 thought this thing -- when I -- when I heard this
24 thing was coming out and I believe that -- and I
25 said, "Jim, listen. I got -- you know what, I don't

Page 12

1 know if this is going to come out. They're going to
2 name names." I didn't believe it, but I figured --
3 you know, I was told since I was -- since the
4 government approached me, you know, not to talk to
5 anybody. I couldn't. They would lock me up. They
6 would do this. They would do that.
7 BILLY BELK: So they actually -- the
8 government approached you on December 5th?
9 BRIAN McNAMEE: No, no. No, this is back
10 in July, I think. You know, I'm trying to -- I'm
11 giving you a timeline of what I was trying to
12 accomplish --
13 BILLY BELK: Okay.
14 BRIAN McNAMEE: -- just so -- because
15 that's when I broke or could be conceived that I
16 reached out to you guys or --
17 BILLY BELK: Okay.
18 BRIAN McNAMEE: -- or when I say "you
19 guys," I mean Roger and Andy.
20 BILLY BELK: Right.
21 BRIAN McNAMEE: And I told Murray -- he
22 goes, "I have no relationship with the Hendricks.
23 Call them." That uh -- to give me the information
24 that this is going to coming out and I want you guys
25 to know about it. I want you to be prepared. And if

Page 13

1 there's anything I can do -- and Murray, you know,
2 he's kind of like a kid. He -- I called Andy right
3 away after I got off the phone. I told him as much
4 as I could -- within a ten-minute conversation I told
5 him as much as I could.
6 And I called Andy and Andy was on his way
7 to his ranch. I said, "Andy, listen." I'm trying
8 email and email. I've been trying to talk to you,
9 but I've got to talk to you." And he goes "All
10 right."
11 And I said, "I've got to talk to you on a
12 land line, because I don't want to talk to you on a
13 cell." And he goes, "All right." His family was in
14 the car.
15 I said, "It has to do with" -- and I said,
16 "I can get a lot of trouble for doing this." I said,
17 "It has to do with the Mitchell Report. You're going
18 to be in it. You've got to call me." He goes, "All
19 right."
20 You know, he didn't -- he didn't blink an
21 eye. He just said -- he said, "It's going to be four
22 hours." And I said, "All right."
23 He didn't call me, so I assumed Murray
24 called Randy; and Randy told him "Don't talk to him."
25 And, so, then he shut it down.

Page 14

1 And -- uh -- I reached out to Roger
 2 several times, too. I couldn't -- there wasn't a
 3 time I could meet with Roger or I figured I'd shot
 4 him an email saying, "Roger, we've got to talk." Uhm
 5 -- and then after, I think, a day went by, I think,
 6 like on like the 6th, maybe, I -- I emailed Andy. I
 7 said, "Andy" -- and I just said, "Listen, I
 8 understand -- I understand why you can't talk to me;
 9 but I just want to set the record straight, you know,
 10 and let you know," you know.
 11 And -- uh -- I did the same thing with
 12 Roger; and that was it. And, then, Murray called me
 13 yesterday around 6:00 -- is that right?
 14 Q. (BY JIM YARBROUGH) Right, last evening?
 15 A. So Murray called me at my house, which I'm no
 16 longer there; and that's when I told him to call me
 17 on my cell because I was rolling in here and I don't
 18 have a number here yet.
 19 Q. So you -- so your first --
 20 A. And that's how that -- that's how -- that's
 21 how this all started.
 22 Q. So let's -- just so I got it straight, Brian,
 23 your first contact or reaching out to Andy or Roger
 24 was on the 5th when you tried to -- when you got
 25 ahold of Andy when he was on -- en route to the -- to

Page 15

1 his ranch?
 2 A. Uh -- if it means anything, I've been trying
 3 to get with Andy and Roger with for awhile in a
 4 nonchalant -- you know, "I'd really like to talk to
 5 you. Let's get together and let's talk. Let's talk.
 6 I need to talk. I need to talk."
 7 Q. How long do you think that's been going on?
 8 A. That's been going on for two months.
 9 Q. Two months. But you actually never had a
 10 conversation with them about specifics or anything
 11 like that?
 12 A. No.
 13 Q. Okay. And the only specifics that you -- that
 14 you had -- the conversations --
 15 A. I, also, thought they knew this whole time.
 16 Q. The only specifics that you have had is when
 17 you told Andy something to the effect of you need to
 18 talk to him because they're going to be named in the
 19 Mitchell Report?
 20 A. That was on Wednesday, I believe. When did --
 21 do you know when Andy went to the ranch? Do you know
 22 what day?
 23 BILLY BELK: Wednesday.
 24 BRIAN McNAMEE: So Wednesday would be the
 25 day.

Page 16

1 BILLY BELK: No, no, no. I mean Friday,
 2 the -- it was Friday. What was Friday? That would
 3 have been the day you called him then, right?
 4 BRIAN McNAMEE: The day he went to the
 5 ranch was on the 7th.
 6 Q. (BY JIM YARBROUGH) I remember -- I remember
 7 something being said about him going to the ranch,
 8 but I don't remember when it was.
 9 A. Well, if you can find what day he drove to the
 10 ranch --
 11 Q. That's the day --
 12 A. -- that's the day I called everybody.
 13 Q. Okay.
 14 BILLY BELK: Yeah, that was the 5th.
 15 BRIAN McNAMEE: That was Wednesday.
 16 BILLY BELK: Right.
 17 BRIAN McNAMEE: So, all right, so
 18 Wednesday, that was the wheels -- that put the wheels
 19 in motion. I was -- you know, I'm being told, you
 20 know, this is going against the advice of counsel and
 21 also going against the fact that the federal
 22 government told me, slash, "warned me" not to talk to
 23 anybody.
 24 Q. (BY JIM YARBROUGH) What -- am I correct,
 25 Brian, in assuming that you had this interview

Page 17

1 sometime back in June and had you not -- what was it
 2 that precipitated you calling Wednesday as opposed --
 3 A. I didn't know it was coming out.
 4 Q. You didn't -- how did you find out it was
 5 coming out?
 6 A. They -- Mitchell -- everything that I was
 7 involved with Mitchell was -- was orchestrated by the
 8 federal government team --
 9 Q. What is it -- is it a --
 10 A. -- and I called.
 11 Q. I'm sorry?
 12 A. It was Matt -- Adam or Matt Peralta. He's the
 13 DA.
 14 Q. Okay. Peralta?
 15 A. I have all the cards at the house, too, and I
 16 can get them if you need them. Uhm -- and Novitzky
 17 really -- and Novitzky --
 18 Q. Novitzky's the IRS guy, right?
 19 A. Yeah, right. I got a call when I was with
 20 Roger --
 21 BILLY BELK: Can I back you up just a
 22 second? Adam Peralta, P-e-r-a-l-t-a?
 23 JIM YARBROUGH: Or Matt.
 24 BILLY BELK: Or Matt Peralta?
 25 BRIAN McNAMEE: Right. Yeah, he locked up

1 Marion Jones. He just locked her up.
2 BILLY BELK: And he's with the government
3 or the --
4 BRIAN McNAMEE: Federal or ADA -- he's the
5 ADA.
6 BILLY BELK: Okay.
7 BRIAN McNAMEE: -- District Attorney with
8 the federal government.
9 BILLY BELK: So he's USA ADA. Okay.
10 BRIAN McNAMEE: That was started by
11 Novitzky.
12 Q. (BY JIM YARBROUGH) Novitzky is with the
13 IRS --
14 A. Jeff Novitzky is an IRS agent.
15 Q. And what about the FBI, do they have somebody?
16 A. They had -- they had three other people at the
17 time, a female and two males.
18 Q. That are FBI agents?
19 A. I think so, yes.
20 Q. A female and two male FBI. Any other agencies
21 involved besides the IRS and FBI and the U.S.
22 Attorneys' Office?
23 A. (No audible response.)
24 Q. Just those three?
25 A. (No audible response.)

1 Q. Okay. All right.
2 A. I was with Roger in -- in Kentucky when
3 Novitzky first called my cell phone.
4 MR. BELK: When was that?
5 BRIAN McNAMEE: That'd be when he was
6 getting ready to go back to the Yanks. I think it
7 was June, I think. I believe it was June. And then
8 one day, I had -- he sent me an email to confirm who
9 he was and then he -- I had my attorney call him.
10 And then they set up a meeting in July, and the
11 meeting was in New York.
12 Q. (BY JIM YARBROUGH) And you met with
13 Novitzky --
14 A. Peralta --
15 Q. -- or with all of these people?
16 A. -- Peralta, Novitzky, and two other agents, a
17 female -- and I have their cards.
18 Q. So that was in July?
19 A. Yeah.
20 MR. BELK: What's your attorney's name,
21 Brian?
22 BRIAN McNAMEE: Well, it was Tom Harvey,
23 who was assisting me; and then he handed it off to
24 Earl Ward.
25 MR. BELK: Ward, W-a-r-d?

1 BRIAN McNAMEE: Yeah. I have his card.
2 Q. (BY JIM YARBROUGH) And where would -- where
3 did that meeting take place, Brian?
4 A. It was in Midtown Manhattan.
5 Q. Midtown?
6 A. Yeah. Now, you guys need all this? I mean,
7 I'm just asking. You need all this?
8 Q. Well --
9 A. You need all this, like the --
10 Q. Yeah, I mean, the names of the people that are
11 involved from the government side, it would be good
12 if we could get -- yeah, if we had their information.
13 A. I mean, I can get that. But I'm just saying,
14 we need to do this whole -- like this is coming out
15 tomorrow, I mean.
16 Q. Right.
17 A. You need this whole --
18 BILLY BELK: Well -- and what we're doing,
19 I mean, our goal is to try and find out as much as we
20 can so that Roger and Andy are not blind-sided
21 because --
22 BRIAN McNAMEE: That's why I called.
23 BILLY BELK: Well, I know. But you just
24 said it's coming out, but --
25 BRIAN McNAMEE: No, I know. But I'm --

1 no, I'm not complaining. I'm just saying, if you
2 want to cut to the -- you need the like the hairy
3 details --
4 Q. (BY JIM YARBROUGH) No. We'd like to get a
5 little bit of background --
6 A. You need details --
7 Q. -- we'd like to get a little bit of background
8 first and then we'll cut to the chase, if that's
9 okay?
10 A. You do whatever you want.
11 Q. Okay.
12 A. I'm just asking here --
13 Q. Okay.
14 A. -- like "What's up?" I'm like -- I'm
15 thinking, because they -- what happened was Radomski
16 had -- they had enough evidence against me to lock me
17 up.
18 What I did was: I did favors a couple of
19 times for a couple of players that have nothing to do
20 with Roger and Andy. And they asked me, because of
21 location, to pick up some stuff. I kind of knew what
22 it was. I thought I knew what it was, but I didn't
23 ask. And, then, I found out what it was and I
24 stopped doing it. I did not -- I felt uncomfortable
25 about it and I stopped.

1 They had me for conspiracy to distribute.
2 But since I agreed to talk to them at -- as advice
3 from counsel, they told me that I can't lie to them;
4 because now we're talking about a whole new charge.

5 Q. Okay. Right.

6 A. So I agreed to talk to them and I can't lie to
7 them, because you have to assume some -- that they
8 know everything. So they kept -- they said -- when
9 they sat me down, they said "Listen. We know you
10 picked up stuff. We know you dropped stuff off. We
11 -- we don't see you as a target, but we want to make
12 sure that if you talk to us -- we know the truth
13 already; but if you tell us the truth, we want to
14 make sure you're a reliable witness. Also, if you
15 lie to us, we will lock you up, also."

16 So, I told them what I knew and then they
17 just cut to the chase. They started asking me
18 questions about -- Radomski had no information on
19 Roger and Andy, "none," other than Radomski knowing
20 that I trained them or -- or his assumption. But I
21 never said to Radomski that anything was for Roger or
22 Andy. I never said -- I never got anything for Roger
23 and Andy from Radomski, per se.

24 Q. Okay. So -- just so I'm clear, they knew
25 about the -- your pickups for these other couple of

1 other players through Radomski?

2 A. Or -- and also confirmed, maybe, by the
3 players, because they interviewed the players.

4 Q. They did interview the players, too? But you
5 don't know for sure whether the players --

6 A. I have no idea.

7 Q. -- admitted it or denied it?

8 A. I have no idea.

9 Q. Okay. Okay. Do you know Radomski?

10 A. Yeah.

11 Q. Personally?

12 A. I mean, I know him from that. But my
13 relationship with him, outside of that, was just
14 because of the cars. When Grimsley, who got arrested
15 in Arizona -- or got questioned in Arizona, Grimsley
16 was a reliever with the Yankees. We started
17 talking -- I started -- it was like a conversation in
18 the bullpen. I said, you know, "I really like that
19 Lexus RX 300." It was an SUV-type of sedan.

20 And he goes, "Oh, you know the guy Kirk,"
21 because I gave -- Grimsley did get Radomski's number
22 from me, but not on purpose. He got it because I
23 knew Segui -- David Segui, who got his stuff from
24 Radomski, who was from New York. So I trained Segui
25 in Toronto. You see, that's how the whole thing

1 worked out. And then through conversation, he
2 talked -- Grimsley talked to Kirk about hooking me up
3 with a dealer with Lexuses.

4 So, then, I started talking to Kirk about
5 hooking me up with a dealer. He hooks me up with a
6 guy whose son goes to high school and is a baseball
7 player at Sedarin (phonetic). So, now, this guy's
8 giving me the because he wants me to train his son.
9 So I'm training his son. So me and Kirk start
10 talking and, plus, he knew the Mets in the '80's; and
11 we kept the relationship that way.

12 But, then, Grimsley, within weeks, said
13 "Oh, you know what, how do you go home?" So I go, "I
14 got this way, but it depends on the traffic. I can
15 go five different ways home to the Bronx."

16 "You know, Kirk, you know, he's always
17 around this area. Can you just, you know, pick up
18 some stuff for me? You know, he's in that area.
19 Just give him a call and I'll tell him and he'll call
20 "yeah, I'm here," after a game. And I said, "All
21 right," and I picked up some stuff.

22 The guy's 6 foot, 270. I kind of knew
23 what it was. And all we talked about was cars and
24 training and Darryl Strawberry, ex-Mets. "See you
25 later." And then it happened, like, three or four

1 times. One time I had to give him money and then I
2 went to --

3 Q. Oh, I'm sorry. What -- what did you say
4 about --

5 A. One time I gave him money from Grimsley; but,
6 otherwise, we was just taking up bags, like Fed-Ex
7 bags.

8 Q. And that's from Kirk?

9 A. From Kirk.

10 Q. And it's for Grimsley?

11 A. For Grimsley.

12 Q. And is it at Kirk's house?

13 A. No, it's off the highway on the way home.

14 Q. Does he have a store or something?

15 A. No, he met me at a --

16 Q. Oh, he would just meet you somewhere?

17 A. Yeah.

18 Q. And it was a Fed-Ex package. So, it wasn't
19 like the Fed-Ex package was being shipped to your
20 house?

21 A. No, it's -- that's how he wrapped the stuff.

22 Q. Okay. Okay.

23 A. And uh --

24 Q. What -- do you know what it was?

25 A. It was drugs.

1 Q. Do you know what kind of drugs?
 2 A. It was steroids.
 3 Q. Steroids, okay. I mean, so it wasn't --
 4 A. Yeah.
 5 Q. I mean, it wasn't like --
 6 A. I didn't know --
 7 Q. -- it wasn't cocaine or something else?
 8 A. No, it was steroids.
 9 Q. Okay.
 10 A. It was steroids. I knew the connection -- I
 11 got to know the connection. And then, obviously,
 12 Kirk started telling me that he would help the guys
 13 out. He goes "they would get bad stuff" and -- you
 14 know, because he used. He never made it look to me
 15 like he was a dealer. I didn't think he was a
 16 dealer.
 17 And, then, I told Grimsley after a couple
 18 of times, I said, "Listen, I'm not comfortable doing
 19 that. I don't feel good doing that." And, so, that
 20 ended that.
 21 Q. And is Kirk a trainer?
 22 A. He trains players.
 23 Q. He's like you? I mean, he dealt with --
 24 A. No, no. He's not like -- he's like a Greg
 25 Anderson.

1 Q. Okay.
 2 BILLY BELK: What's (inaudible) -- when
 3 did --
 4 BRIAN McNAMEE: 2000.
 5 BILLY BELK: In 2000?
 6 BRIAN McNAMEE: And then -- so that gives
 7 you -- that's how I got to know Kirk. And I went --
 8 this is what's messed up, because I went to Jim
 9 Murray in 2004 -- and, also, you can tell Jim
 10 Murray's he's a piece of shit. I'm going to smack
 11 him the next time I see him.
 12 But I went to Jim Murray in 2004, the same
 13 type of situation. It was when the government or it
 14 was when Major League Baseball tested the players in
 15 2003. I went to Murray with concern or to prepare
 16 him and the Hendricks that, if they make these tests
 17 public, that Roger might have a problem, so be
 18 prepared for it.
 19 Murray took notes and we met at Starbucks.
 20 He took all these notes. And, I said, "This stuff
 21 came from a guy named Kirk." I didn't know his last
 22 name at the time. I said, "This guy Kirk who gets
 23 stuff." And he asked me like six, seven times, "Is
 24 he a doctor?"
 25 "No." I said, "He's a guy who's Kirk.

1 He's a weightlifter." And he took notes on it.
 2 So I'm, like, "What are you going to do
 3 with that?" Why didn't -- when this stuff came out
 4 about Radomski, why didn't they know that there was
 5 going to be a relationship there?"
 6 Q. (BY JIM YARBROUGH) What's Kirk's first name?
 7 A. Kirk.
 8 Q. What's his last name?
 9 A. Radomski.
 10 Q. Oh, Kirk -- oh, okay. Okay. I'm sorry.
 11 BILLY BELK: He met with Jim Murray.
 12 BRIAN McNAMEE: I met with Jim --
 13 JIM YARBROUGH: Right, yeah.
 14 BRIAN McNAMEE: -- and to give the
 15 Hendricks a heads-up and to be prepared that this
 16 might happen. But Jim asked a bunch of questions. I
 17 gave -- I told -- Jimmy took, like on a little pad,
 18 he took about ten pages of notes. And I said, "Jim,
 19 you know what I'm trying to do here?"
 20 And he goes, "Yeah, we want to be -- you
 21 know, we'd like to be prepared." That's all I was
 22 trying to do.
 23 Q. (BY JIM YARBROUGH) Well, was there a
 24 connection to Roger like there was a connection to
 25 Grimsley between Radomski --

1 A. No, no.
 2 Q. -- Radomski?
 3 A. No, no. But if -- what did Jimmy do with
 4 those notes? The Hendricks should have known that
 5 when Kirk Radomski, from the Mets, "Steroids," when
 6 that came out, that should have triggered something.
 7 BILLY BELK: Yeah, but what we're not
 8 gathering -- because I hadn't caught it, either. You
 9 talked about the connection between Grimsley and
 10 Radomski, but not about Roger and Radomski.
 11 BRIAN McNAMEE: No. I gave you my
 12 connection to Radomski.
 13 BILLY BELK: Right, right.
 14 BRIAN McNAMEE: I told you how my
 15 connection is through Radomski.
 16 BILLY BELK: Uh-huh.
 17 BRIAN McNAMEE: And, then, I jumped
 18 forward to just make sure that I got this across to
 19 say that the Hendricks -- when Radomski got locked up
 20 back in last -- in what? In 2005?
 21 BILLY BELK: Uh-huh.
 22 BRIAN McNAMEE: Why didn't that trigger
 23 something with the notes I gave to Murray?
 24 Q. (BY JIM YARBROUGH) Well, we don't know what
 25 those notes are and I don't know what Murray did with

1 the notes.
 2 A. Right.
 3 Q. And this is the first I'm hearing about that.
 4 A. But that's -- but I want you to hear about it.
 5 Q. Okay. Yeah, absolutely.
 6 A. I want you to hear about it.
 7 Q. So, what information about Roger did you give
 8 to Murray at that time?
 9 A. I said that "I wanted to prepare you -- that
 10 when the MLB tested guys to see if they were going to
 11 institute a year-round, full-time testing procedure,
 12 that Roger -- there might be a problem with Roger.
 13 So don't be" -- I didn't want him to be blind-sided.
 14 Q. And why did you think --
 15 A. And Murray asked, "Well, where did the stuff
 16 come from?"
 17 "This guy Kirk. He used to work for the
 18 Mets." I gave him all this information. What did he
 19 do with that information?
 20 Q. Well, why --
 21 A. Obviously, it didn't come forward. It didn't
 22 come out. Roger -- I don't know if Roger failed the
 23 test, but I was trying to prepare the Hendricks and
 24 protect my client.
 25 Q. Well, Brian, why did you feel that there might

1 be a problem with Roger?
 2 A. Because Roger was taking steroids and if he --
 3 if it stays in his system for a long enough period of
 4 time where he might have tested positive.
 5 Q. And how do you know Roger was taking steroids?
 6 A. All right. Let's -- now let's back up.
 7 Q. Okay.
 8 A. You know what, hold on to that information
 9 about me telling Murray and all that information.
 10 Q. Okay.
 11 A. Now, we just established the relationship with
 12 Radomski, my relationship with Radomski.
 13 BILLY BELK: Right.
 14 BRIAN McNAMEE: All right. We'll go back
 15 to when I first met Roger in '98.
 16 Q. (BY JIM YARBROUGH) Okay.
 17 A. I was the head training coach in Toronto.
 18 Roger was a second-year player there. I guess after
 19 we started having a decent work relationship, as I
 20 did with all the other players, Roger, being the
 21 senior man on the staff. The second year he won the
 22 Cy Young award. And after -- and I didn't -- this is
 23 the government came to me with this, so you have to
 24 bear with me; because I'm trying to kill two birds
 25 with one stone.

1 Because the government, they said that
 2 they had video cameras from clubhouses. They said
 3 they had -- they already talked to the players about
 4 with -- not naming them. They said that they had
 5 testimony from other clubhouse people, some other
 6 stuff, whatever. So this is what the government's
 7 telling me.
 8 But the truth is, Roger -- in '98, Roger
 9 had some drugs. He came across some anabolic
 10 steroids in Florida. I thought it was -- and I don't
 11 know where he got them from; but --
 12 Q. (BY JIM YARBROUGH) And how do you know that
 13 he had -- did you see them?
 14 A. He gave them to me.
 15 Q. He gave them to you?
 16 A. I injected Roger with them.
 17 Q. Okay. And that was in 1998?
 18 A. Right, but Roger --
 19 Q. And --
 20 A. -- but Roger also -- the government doesn't
 21 know, but that was in '98. But Roger gave me a
 22 hand- -- he gave me a bag full -- like a Ziploc bag
 23 full of steroids and a bottle of steroids. The
 24 bottle was supposedly steroids. I don't know what
 25 that was. But the bag full of stuff he gave me was

1 steroids, and he told me to get rid of it. That was
 2 when he got it. He gave me other stuff and it was
 3 Winstrol.
 4 BILLY BELK: What's it called?
 5 BRIAN McNAMEE: Winstrol. I didn't know
 6 what it was. I had to look it up.
 7 Q. (BY JIM YARBROUGH) What do -- how do you
 8 spell that?
 9 A. W-i-n-s-t-r-o-l.
 10 Q. Okay. Is that -- is it a steroid?
 11 A. It is.
 12 Q. It is a steroid?
 13 A. Yeah, it's the one -- it's the steroid -- it's
 14 a sprinter drug that Ben Johnson lost his gold
 15 medals for failing it --
 16 Q. Yeah.
 17 A. It's the steroid that is now Stansenol.
 18 Winstrol V is Stansenol.
 19 Q. Okay. Stansenol?
 20 A. Winstrol and Stansenol are the same.
 21 Q. And is that what was in the Ziploc bag,
 22 Winstrol?
 23 A. No. In the Ziploc back was testosterone.
 24 Q. Testosterone?
 25 A. There was about 30 of them, 30 little vials.

1 Q. And what was in the bottle?
 2 A. What -- what bottle?
 3 Q. You said he gave you a bag -- a Ziploc bag --
 4 A. A lot of pills -- the bottle had about a
 5 hundred, 200 pills in it.
 6 Q. But you don't know what those were?
 7 A. I think it was Anadrol 50.
 8 Q. Hanadril (phonetic)?
 9 A. Anadrol, A-n-a-d-r-o-l --
 10 Q. Anadrol?
 11 A. -- 50. It's the strongest --
 12 Q. Anadrol 50?
 13 A. It's the most powerful oral steroid you can
 14 take. It's very, very toxic. It's a very bad drug.
 15 Q. And where did he give you these at?
 16 A. I think -- I'm pretty sure it was in the
 17 clubhouse in Toronto.
 18 Q. I thought you said it was in Florida?
 19 A. No, I think that's where he got them from.
 20 Q. Oh, okay. So he gave them to you in the
 21 clubhouse in Toronto?
 22 BILLY BELK: And Florida is spring
 23 training? Is that where he would have gotten them
 24 from or during spring training? I'm assuming that --
 25 BRIAN McNAMEE: I'm getting to that,

1 pills. He had gotten the Winstrol, which was new. I
 2 didn't know anything about the vials of testosterone
 3 and the pills until he told me -- he gave them to me
 4 and asked me to get rid of them. And I got -- and I
 5 got rid of them and I never asked him a question
 6 about it. He, at the same time, had the Winstrol.
 7 If you're asking me to guess, I think
 8 Roger got that stuff, maybe, the year before or had
 9 it for a couple of years and wanted to get rid of it
 10 because he got some new stuff. That's my guess. He
 11 told me to get rid of the stuff. I got rid of it.
 12 He had this new Winstrol stuff, and he asked me to
 13 help him inject it. Some way, somehow -- and the
 14 Winstrol was all -- after I got rid of the vials and
 15 the pills, the only thing I knew Roger to have --
 16 was the Winstrol.
 17 Q. And --
 18 A. And that's all I know that he used.
 19 Q. And is the Winstrol -- is that in a vial?
 20 A. It's a vial.
 21 Q. It's an injectable. How much of that did he
 22 have?
 23 A. It's a fifty- -- give or take ten, maybe.
 24 Q. Ten vials?
 25 A. Yeah.

1 because it actually ties into the FBI's questioning.
 2 All right. So the reason -- the reason
 3 why Roger gave me the Winstrol, the white
 4 Winstrol/Stansol stuff is because -- I don't know
 5 how it came up. I don't know how it started. I was
 6 not -- I was not -- I didn't know anything really
 7 about steroids; but, for some reason, somehow Roger
 8 asked me to inject him with Winstrol.
 9 Q. (BY JIM YARBROUGH) Okay. Time out. And I
 10 hate to keep interrupting you --
 11 A. I don't care. You guys are --
 12 Q. -- but I'm a little confused; because in '98
 13 in the clubhouse, he gave you this Ziploc bag with
 14 about 30 vials in it and then a bottle of Anadrol --
 15 A. Okay. Here we go --
 16 Q. -- 100 to 200 pills. But, now, here's where
 17 I'm confused. Then you said something about
 18 Winstrol?
 19 A. All right.
 20 Q. Is that -- was that at this same time or is
 21 that a different time, the Winstrol?
 22 A. This is what happened: At this -- at around
 23 this same time, Roger, or he had in his possession
 24 the Ziploc bag full of testosterone vials. He
 25 already had in his possession the bottle of white

1 Q. Do you know where he got that at?
 2 A. That's what ties this into the same time in,
 3 like, June or July in Florida. I think he got it at
 4 Canseco's house. I didn't know that until the
 5 government led me to believe that that's where he got
 6 it from, that somebody -- someone else that the
 7 government talked to was -- I guess those were the
 8 facts that they were checking on with me. And
 9 somehow, whoever else the government is talking to,
 10 said that he got them there in Florida, that some guy
 11 walked into a room with him and Canseco and that's
 12 how they got the drugs, the Winstrol.
 13 The other drugs, I believe he already had.
 14 I don't think he got them -- I could be wrong on
 15 that. But as far as the government and Mitchell,
 16 they know that he got the Winstrol at Canseco's house
 17 at a party; and that's when he did Winstrol.
 18 Q. And that was in 1998, the party?
 19 A. Yes. And that's when I -- they know -- they
 20 know -- and that's where -- they led me to believe
 21 that they knew I injected him, but wanted to hear it
 22 from me after they said that they had video -- I
 23 injected Roger once in -- in a clubhouse -- in the
 24 clubhouse in Tampa. And my mind is racing, so I -- I
 25 said, "I think I injected Roger four or five times."

1 Q. Where would the other three -- three or four
 2 times? One time at the clubhouse in Tampa?
 3 A. Well, let me think. I've got to take a leak.
 4 But I did not -- you see now, this is
 5 where I can get in trouble. I did not tell the
 6 government that I injected Roger, you know, in the
 7 clubhouse. I told them --
 8 Q. Are you talking about the one time in Tampa?
 9 A. Right. But I told them I injected him, maybe,
 10 four or five times in the ass; and it was mainly --
 11 maybe -- I think I said his hotel room, because me
 12 and him lived on the same floor of the Sky Dome, but
 13 I did not say it was in the clubhouse.
 14 I also know this -- they kept -- they kept
 15 hounding me to find out if Roger had any medical
 16 problems due to injection. I know -- I know for a
 17 fact that Roger got an abscess from the injection and
 18 that's what made him stop taking Winstrol. I don't
 19 know if the federal government talked to the head
 20 trainers, because they have it documented that he
 21 got -- I mean, it's documented he got an abscess.
 22 The only way to get an abscess is, usually, by
 23 injecting steroids in your ass.
 24 Q. Where -- where was the abscess?
 25 A. In his ass.

1 which I think it was four -- I don't know what it's
 2 going to say in the Mitchell Report, maybe four
 3 times, five times, and uh --
 4 Q. (BY JIM YARBROUGH) Four or five times in his
 5 ass and you think it was in a hotel. Was that in --
 6 where is that?
 7 A. In the Sky Dome.
 8 Q. Where?
 9 A. A hotel, the Sky Dome -- the Toronto Sky Dome.
 10 Q. In Toronto, okay.
 11 A. That's what I told the government.
 12 Q. Okay. So, you didn't tell them about the one
 13 time at the clubhouse --
 14 A. I did not tell them about it.
 15 Q. -- in Tampa? Okay.
 16 A. I did not tell them about the abscess. I
 17 didn't tell them about -- I learned out -- I had to
 18 find out later, you know, pretty much --
 19 BILLY BELK: I thought you said you did
 20 tell the government about the abscess? You did not
 21 tell them about that at all?
 22 BRIAN McNAMEE: No.
 23 BILLY BELK: But you --
 24 BRIAN McNAMEE: They kept asking me --
 25 BILLY BELK: But they asked you --

1 Q. In his ass?
 2 A. It was an injection site abscess. He started
 3 to receive treatment on it and I guess -- I mean,
 4 me and Roger did not talk about this; but I'm
 5 assuming -- (cell phone sounds). That's a reporter.
 6 I'm assuming that, because they kept --
 7 they kept asking me like I was lying, that I didn't
 8 know about it, like I'm just -- and I'm telling you
 9 how I felt. I think that they know that Roger got an
 10 abscess through shooting steroids. Because right
 11 after he got the abscess, he started getting
 12 treatment on it from the head trainer and he --
 13 BILLY BELK: What was the head trainer's
 14 name?
 15 BRIAN McNAMEE: Tommy Craig and he
 16 threw --
 17 BILLY BELK: Craig, C-r-a-i-g.
 18 BRIAN McNAMEE: Tommy Craig, yeah. And he
 19 threw -- a day or two days after or whatever, right
 20 after he started getting treatment on the abscess in
 21 his ass, Roger threw the rest of whatever the
 22 Winstrol was left in my locker. He says, "I'm not
 23 taking any more. Get rid of it."
 24 I did not tell this to the government. I
 25 only -- I -- I told them what I thought they knew,

1 BRIAN McNAMEE: They kept asking.
 2 BILLY BELK: -- did he have any medical
 3 problems.
 4 BRIAN McNAMEE: About injecting and I kept
 5 saying "I have no idea about that. I don't know
 6 about it." But I'm telling you, because they have
 7 other information from other people that I know that
 8 if they -- if they sequestered the medical -- the
 9 medical report, whatever, in Roger's file, that
 10 they -- he had an abscess from an injection at an
 11 injection site. The government -- or why would they
 12 keep asking me about it?
 13 Q. (BY JIM YARBROUGH) And Tommy Craig would have
 14 known that?
 15 A. Tommy Craig would have known it. The
 16 assistant trainer would have known it.
 17 BILLY BELK: Who was the assistant trainer
 18 at that time, Brian?
 19 BRIAN McNAMEE: Scott Shannon.
 20 Q. (BY JIM YARBROUGH) They never specifically
 21 said he had an abscess --
 22 A. (Cell phone sounds.) Hold on. This guy's
 23 nuts. That's -- this guy's crushed me in the paper
 24 for no apparent reason, and they're calling me like
 25 I'm a best friend now.

1 BILLY BELK: Is that the Daily News?
 2 BRIAN McNAMEE: He (inaudible) --
 3 Q. (BY JIM YARBROUGH) So, they -- they led you
 4 to believe that he had a medical problem, but they
 5 didn't specifically say an abscess from an injection?
 6 A. No, they didn't specifically say that; but
 7 they kept like -- I'm telling you, man, I was like in
 8 a box. They kept -- "So, you're telling me you don't
 9 know that this guy didn't have anything? Now, are
 10 you sure?
 11 And I'm like, "Oh, my God, no, no, no."
 12 Q. Okay. Okay. So a recap on Roger: What you
 13 told them about his possession or use of steroids
 14 would have been the Ziploc bag --
 15 A. I didn't tell them that. I didn't tell them
 16 that. The only thing I told them is -- because
 17 Canseco -- what they led me to believe was they
 18 talked to Canseco, was that I gave -- I gave -- that
 19 Roger handed me the bottle -- and this is in the
 20 report.
 21 Q. Okay.
 22 A. Roger handed me a bottle of -- he didn't say
 23 what it was, but "pills," which I assume was Anadrol
 24 50, which I gave to Canseco. It's going to say in
 25 the report that Roger handed me a bottle of pills

1 that I handed -- that I gave to Canseco that, uhm,
 2 presumably, is Anadrol 50, like Roger -- it didn't --
 3 the bottle was like a vitamin bottle. It was -- and
 4 it had the pills in it.
 5 Q. That's the bottle that had a hundred to 200
 6 pills in it?
 7 A. Yeah, something like that, that Canseco
 8 assumed was Anadrol 50 and started taking it.
 9 Because they asked me "How did you know it was
 10 Anadrol 50?" And I said, "I just gave it to Canseco.
 11 He took and I think that's what he said it was."
 12 But they told me -- in the report, they
 13 said that it was Anadrol 50. And I said "I wasn't
 14 comfortable -- how can you say that? I'm not
 15 comfortable with that. It was just a -- it was a
 16 bag -- it was a bottle of pills."
 17 And the lead attorney for Mitchell said
 18 that -- "Brian, you have to understand that I can't
 19 read this to you or tell you this, but you're not the
 20 only person we've talked to and" -- it reads on. It
 21 goes for -- because they did take out stuff I wanted
 22 taken out.
 23 Q. But you didn't know for sure it was Anadrol
 24 50?
 25 A. No.

1 Q. You just knew it was a bottle that had white
 2 pills in it?
 3 A. Right. I -- if you had asked me, I -- I
 4 assumed it might have been. I know Roger didn't know
 5 what it was. I know Roger knew it was a steroid.
 6 Q. Okay.
 7 A. I just don't think he took them because -- and
 8 I didn't say this to anybody, but I don't --
 9 personally, I don't think Roger took them because
 10 they were not safe. They were -- oral steroids are
 11 very, very bad for you.
 12 Q. Okay.
 13 A. They're no good for anything. And I don't --
 14 you know what, there was so many of them, I don't
 15 think -- I think maybe someone gave them to him and
 16 wherever he got the other ones, the vials from, gave
 17 them those. And Roger's not stupid. He probably did
 18 some research and he said he's not taking them, you
 19 know.
 20 BILLY BELK: The vials that you're talking
 21 about that you said you gave Roger four or five
 22 injections, did you actually draw them into the
 23 syringe?
 24 BRIAN McNAMEE: Oh, yeah.
 25 BILLY BELK: What color was the --

1 BRIAN McNAMEE: It was white.
 2 BILLY BELK: Clear or white?
 3 BRIAN McNAMEE: It was white.
 4 BILLY BELK: Okay.
 5 BRIAN McNAMEE: There's no way around it.
 6 MR. BELK: Okay. What kind of needles did
 7 you use?
 8 BRIAN McNAMEE: 22-gauge, orange needles.
 9 They didn't ask me that.
 10 BILLY BELK: They didn't? And the vials
 11 themselves, was the glass brown?
 12 BRIAN McNAMEE: The glass was clear. It
 13 was white powderish, but -- are you familiar with
 14 Winstrol?
 15 BILLY BELK: A little bit.
 16 Q. (BY JIM YARBROUGH) So you talked -- you
 17 talked to them about the bottle of white pills, but
 18 nothing came up in your interview about this Ziploc
 19 bag with the -- with the vials in it? That didn't
 20 come up at all?
 21 A. (No audible response.)
 22 Q. And how did the --
 23 A. I don't know -- I don't know what I did with
 24 those. The only thing I -- the only thing, as far as
 25 them knowing I lied, was the bottle that I gave

1 Canseco. I'm not sure -- I think I might have given
2 them to Canseco. I'm not sure. I might have thrown
3 them out.

4 Q. What did you tell -- what did you tell them
5 about it?

6 A. I didn't tell them anything.

7 Q. Okay. Well, I --

8 A. I just don't -- I remember -- I know for a
9 fact that Roger knew. I know for a fact what it was.

10 Q. Right.

11 A. But I know that they couldn't hold it against
12 me, that I didn't -- I know -- from a sense of them
13 attacking me, I knew that I could be okay by not
14 saying that, about the other ones; because I couldn't
15 really -- I don't know what I -- I don't know if I --
16 if Canseco said I gave him a bag of -- vials of
17 testosterone, then fine. I forgot.

18 Q. Okay. But you did --

19 A. I honestly --

20 Q. But you did tell them that you gave Canseco
21 the bottle of white pills?

22 A. Right, because I figured that would be more
23 concrete because I think Canseco started taking them
24 right away.

25 Q. Okay. Then --

1 A. He popped them in his mouth as soon as I left.

2 Q. -- how does the Winstrol -- how does that come
3 up in your interview?

4 A. With the FBI?

5 Q. Yeah.

6 A. With the government?

7 Q. Yeah. That all came up in this same
8 conversation; is that right?

9 A. Yeah, it came up with my first knowledge of
10 Roger using steroids and how they were obtained in
11 Florida, supposedly, and that --

12 Q. Those were --

13 A. -- I was giving -- uh -- I told them I was
14 unclear on how Roger asked me to help him inject him,
15 but I ended up helping him inject Winstrol --

16 Q. Okay.

17 A. -- that he got -- that -- they started asking
18 me like -- I first -- the -- I interviewed with the
19 government two days. The first day, I told them
20 everything about Knoblock, Grimsley, and Radomski,
21 and what I did and didn't do.

22 I told them -- they were asking about --
23 oh, you know what took up a lot of time, uhm, was
24 when I was investigated in Florida for a sexual
25 assault. They asked me a lot about that and the

1 players involved [REDACTED]

2 [REDACTED]
3 lie detector test I took. I think -- they asked --
4 they wasted a lot of time on that the first day.

5 Then they got into my relationship with
6 Radomski and then they got into the relationship with
7 Grimsley, who had an affidavit; and that they raided
8 his home. And then they got -- then, like towards
9 the tail end, I said, "Listen" -- I said, "Roger and
10 Andy -- you know what? You have to talk to them. I
11 don't know anything about that. I don't know
12 anything about that."

13 My attorney took me outside the room and
14 it was right [REDACTED]

15 [REDACTED]
16 [REDACTED]
17 [REDACTED]

18 So he takes me outside the room. He goes,
19 "Listen. They know you're lying." I'm like -- so I
20 went back in the room and I said, "Oh, listen
21 guys" -- we covered up him saying I had to talk about
22 Roger and Andy, I said, "I'm not doing it. I'm not
23 going to" -- no. I said I'm not -- no. "They didn't
24 do anything. I don't know what they did."

25 So, then, I went back into the room and I

1 said, "Guys, listen, you know what, [REDACTED]

2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]

8 But the reason why I did that was not to
9 let them know that my attorney was -- we were talking
10 about Roger and Andy. And my attorney knew that
11 Roger and Andy -- that I knew that they did do drugs
12 and they knew I was lying. And he was about to I'm
13 washing my hands from you. "You can't lie to these
14 guys."

15 They shut off to me -- they shut down the
16 meeting ten minutes later and said they'll get back
17 to me. So they got me on record -- the four people,
18 other than Peralta -- the four other people, all they
19 did was sit down and do what you guys did. You know,
20 some wrote -- Novitzky asked me the majority of
21 questions and Peralta, but some -- like the three of
22 them would write stuff, stop.

23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

1 [REDACTED] So we talked a lot about that, how Radomski
2 was selling -- I trained Stanton. Stanton is from
3 Houston. Stanton was taking growth hormones. As far
4 as I know, that's it.

5 But he was -- Stanton came to me and he
6 says, "Listen, I want you to get me growth hormones."
7 And I said, "I'm not getting it. I'm out of it."
8 That's when I washed my hands from Radomski. I said,
9 "You want it. I'll tell Radomski. Here's his
10 number. I'm not getting it. I'm not picking it up.
11 I'm not paying for it. I'm not doing it." Because,
12 I guess, he heard it from Grimsley or whatever
13 that -- that I did that and I stopped.

14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED] So that
20 actually was, like, new information and I was kind of
21 was using that to deflect from talking about Roger
22 and Andy.

23 So, then, the meeting ends. "All right.
24 Listen now, we thank you. We'd appreciate it that
25 you don't talk to anybody and we have to meet with

1 "Well, what do you mean?"
2 Novitzky went on this big tirade because
3 "it was the biggest embarrassing thing I've ever
4 heard from anybody." He's trying to tell me that
5 I -- that how can I tell him that I don't know
6 anything about steroids and Clemens with, first of
7 all, what they know and then also I must not be good
8 at what I do because I stretch him and I train him;
9 so if I put my hands on his body, how can I not know
10 that his body's changing by taking steroids.

11 And, then, he threw a piece of paper at me
12 and he goes, "Do you know how many people we've
13 talked to?" Peralta jumped in. He goes, "We know
14 about more about you than you know about yourself."
15 He goes, "You're going to jail." My attorney just
16 sat there.

17 And they said, "Let's go back to when you
18 first met Clemens in '98." So then we started all
19 over again. And I said -- I said, "You have to
20 excuse myself. You know, I was trying to protect
21 myself and my reputation and my clients."

22 I also tried to get -- back in July, I
23 tried to get a confidentiality agreement. I asked my
24 attorney. I said, "Would it be okay maybe if Roger
25 and Andy just -- because this is looking bad." I

1 you tomorrow." So I'm, like, "All right."

2 And they never said another thing about
3 Roger and Andy, other than denying how I -- I've got
4 to talk to them. You've got to talk to them. And I
5 knew for a fact that there's no way -- Radomski would
6 be lying if he knew anything about Roger and Andy,
7 other than he knew that I trained them.

8 So the next day, now I have a new
9 attorney, Earl Ward. The first guy was Tom Harvey.
10 And I'm sitting in a room and they're, like, "Listen,
11 Brian" -- this is Peralta. He goes, "You have three
12 strikes to go to jail." He goes -- he goes, "You
13 know, you're a cop." He goes, "You picked up
14 steroids and you delivered steroids. That's a
15 federal crime." He goes, "And if you lie to a
16 federal agent, you go to jail."

17 He goes, "I'm going to tell you" -- my
18 attorney just sat there. He goes, "Yesterday, you
19 took two steps back" -- no. "You have two strikes
20 against you to go to jail. You have one more
21 strike."

22 "All right."

23 So, then, they recapped what we talked
24 about that day and then -- the day before. And,
25 then, right away, "So what about Clemens?"

1 said, "Can't we just backdate a confidentiality
2 agreement? We know we have contracts with each
3 other. We have" -- and, he said, "No, you can't do
4 it," so....

5 Is that true?

6 Q. (BY JIM YARBROUGH) Well, yeah, I mean, if you
7 start backdating stuff, they may find out about that
8 and then that's tantamount to lying to them in an
9 interview.

10 A. Well, I'm just telling you I tried.

11 Q. Yeah.

12 A. So, then, they got back to -- uhm -- they had
13 brought up '98, Clemens, and they had brought up a
14 party at Canseco's house or whatever. And, then, I
15 had said -- that was when I had said I had first
16 knowledge of steroids and that I had first knowledge
17 of Clemens. I don't know who said it, but I helped
18 him inject himself and they asked what it was. I
19 said "Winstrol."

20 And uh -- "How did you know it was
21 Winstrol?"

22 And I said, "Well, I didn't know at first;
23 but then" -- uh -- I said, "I didn't really know a
24 lot about the drug culture; but, of course, with the
25 Internet, I looked it up and I found out what it

1 was." Because I also -- you know, it wasn't --
 2 "How did Roger -- how did Roger know to
 3 ask you to help him?"
 4 And I said -- I said, "It wasn't more
 5 about Roger asking me to help him. It was more of a
 6 sense that Roger didn't know what he was doing and he
 7 was going to do it, anyway." So me, as a trainer, I
 8 kinda wanted to make sure that I knew that these
 9 guys, first of all, knew it was good stuff,
 10 legitimate stuff. I also wanted to make sure that
 11 they weren't -- he wasn't going to hurt themselves
 12 doing it. So it's a gray area of my profession that
 13 I crossed maybe the line, where I told Roger that I
 14 would help him.
 15 And they said, "Well, you injected him?"
 16 "Yes, I injected him."
 17 "How many times?"
 18 I said, "I don't know. It was -- it could
 19 have been" -- I think I said four or five times. It
 20 could have been ten, you know; because Winstrol you
 21 have to inject a lot. It's not like the oil-based --
 22 Q. (BY JIM YARBROUGH) That's what -- you told
 23 them four or five, but it could have been ten?
 24 BILLY BELK: Or is that what you --
 25 BRIAN McNAMEE: I didn't tell them. I

1 minimized it. I minimized it by a lot.
 2 Q. Okay. So, to recap with just Roger, you told
 3 them about the Winstrol, four to five times you
 4 injected. That was in the 1998-time period and that
 5 was probably in his hotel room in Toronto. Okay.
 6 That's one thing.
 7 A. That's what I told them.
 8 Q. And then you told them -- tell me again.
 9 Explain the bottle of pills that you told them about.
 10 A. That was like off the -- you know, it was one
 11 of those things. "Well, you know, what else? What
 12 else?" They kept pressuring me, "What else?"
 13 And I was like, "I know that Roger handed
 14 me a bottle of pills that, I think, was Anadrol 50."
 15 And --
 16 "Well, what did you do with it? Did you
 17 see Roger -- did you ever see Roger ever take it?"
 18 I said, "I don't know. I don't think so."
 19 "What did you do with it?"
 20 "I just gave it to Canseco."
 21 "How did you know it was Anadrol 50?"
 22 I said, "I think that's what Canseco said
 23 it was." And that was it.
 24 Q. And where did this -- this happened in
 25 Florida; is that right?

1 said four or five. I said, "I don't know." I -- you
 2 know why, because it might have -- it might have been
 3 ten; because Winstrol you have to inject a lot, like
 4 every two days, because it's a fat-based soluble.
 5 It's not an oil-based soluble. Oil-based last 10 to
 6 12 days. Winstrol's out of your body in, like, three
 7 or four days, so you have to inject it more; and
 8 that's why he got the abscess.
 9 So he was -- actually, it was probably my
 10 fault because Winstrol, I learned later that you're
 11 not supposed to inject quickly. You're supposed to
 12 do it very slowly. That way it dispenses slowly. If
 13 you do it quickly, then it settles in a pool of fat
 14 and that's how an abscess is formed; and that's what
 15 happened. So it was probably my fault.
 16 So I was -- I injected him a couple of
 17 times too quick, I think. I know -- I mean, I have
 18 no idea; but I know that he had a lot left when he
 19 gave it to me to get rid of it.
 20 Q. (BY JIM YARBROUGH) Of the Winstrol?
 21 A. Yeah, when he got the abscess. So I probably
 22 injected him eight or nine -- eight or ten times and
 23 I just downplayed it. I just said -- I think I said
 24 four or five times -- or two to four times. Whatever
 25 I -- whatever I thought they knew that I told them, I

1 A. The pills?
 2 Q. Yeah.
 3 A. Was in the clubhouse in Toronto.
 4 Q. What -- was that in '98, also?
 5 A. Yeah, it was like right around the same time.
 6 Q. Okay. So, you talked in your interview with
 7 them about the Winstrol. You talked in your
 8 interview with them about possibly the Anadrol 50
 9 pills. But you didn't talk -- you didn't say
 10 anything about the Ziploc bag, the vials in that?
 11 A. (No audible response.)
 12 Q. Was there any other thing that you talked to
 13 them about involving steroids or HG- -- HGH?
 14 A. In '98?
 15 Q. No, any time.
 16 A. Yeah, yeah, there was a timeline.
 17 Q. Okay. And you talked to them about the
 18 timeline?
 19 A. Well, no, they had this whole thing worked
 20 out.
 21 Q. Oh, they did. Okay. All right.
 22 A. So they went from '99, when Roger left and
 23 went to New York. I stayed in Toronto. And I had no
 24 dealings with Roger, other than we were trying to get
 25 together to work together again. I was trying to get

1 out of Toronto and get back to New York. That's
 2 where my family was and my house was.
 3 BILLY BELK: Were you actually employed by
 4 the Toronto Blue Jays?
 5 BRIAN McNAMEE: I was the head strength
 6 and conditioning coach. It's on the contract. So,
 7 basically, '99, I was -- it was just me and Roger
 8 went to New York. I was trying to get back to New
 9 York. Roger was trying to hire me and -- but I --
 10 and this is what they did write down, because I was
 11 under a contract with Toronto, that I didn't leave.
 12 I was trying to leave in '99, but I couldn't because
 13 then I would have been banned by Major League
 14 Baseball for seven years under the players'
 15 agreement. That's in my contract.
 16 So '99 came and went. I started training
 17 Roger in the winter of '99 and that's when Andy
 18 jumped on board into 2000. I went to spring training
 19 as a non- -- as Roger's-- Roger was my client, but
 20 as a non-employed person. I was with Roger. Within
 21 two weeks of spring training, the Yankees hired me;
 22 but they really didn't hire me. They -- they took
 23 money out of Roger's salary for me to be with the
 24 team as the assistant strength and conditioning.
 25 Q. (BY JIM YARBROUGH) Okay. So what was --

1 BRIAN McNAMEE: Yes, in Houston. So
 2 now -- whatever -- so now we're talking 2000.
 3 Roger's -- Roger and the Hendricks are working out a
 4 deal for me to work out with the Yankees so I can
 5 train Roger. They were adamant about it, the
 6 Yankees; but they gave in.
 7 And they -- they -- Roger and the
 8 Hendricks worked out a deal where they said, "Listen.
 9 You can hire Mack as the assistant strength and
 10 conditioning coach. Give him a base salary and take
 11 it out of my pay." And that's what they did. So,
 12 then, I started work -- it almost -- and I knew that.
 13 I knew Roger was paying my full salary. The
 14 Yankees -- I was training everybody.
 15 So, getting back to what I told the
 16 government --
 17 BILLY BELK: But I -- I think I heard you
 18 wrong. Is that base and conditioning as opposed to
 19 strength and conditioning?
 20 BRIAN McNAMEE: Is it what?
 21 BILLY BELK: You said when you went to the
 22 Yankees that the Hendricks convinced them to hire
 23 you --
 24 BRIAN McNAMEE: The Yankees to hire me as
 25 an assistant strength and conditioning coach.

1 A. No.
 2 Q. Do you remember the date that you left the
 3 Blue Jays?
 4 A. In the winter after my contract in '99.
 5 Q. In the winter of '99?
 6 A. October 1st, my contract was expired.
 7 Q. Okay. So October 1st, '99 is when you left
 8 the Blue Jays. Okay. And, then, you hooked up after
 9 that?
 10 A. I started training Roger, I think, around
 11 December --
 12 Q. Right.
 13 A. -- as I would do for winter workouts.
 14 Q. Okay.
 15 A. And Andy jumped on board, because Roger was
 16 already signed with the Yankees; so Andy was with the
 17 Yanks.
 18 Q. So, Andy jumps on in December of '99, also?
 19 A. Yeah, he started working out with us; and --
 20 uh -- I brought in some other players from the
 21 Hendricks. One was -- Justin Thompson started
 22 working out with us and C.J. Nitkowski started
 23 working out with us. Randy Keesler started working
 24 out with us, all at Roger's or Andy's house. So --
 25 BILLY BELK: In Houston?

1 BILLY BELK: Strengthening, okay. I
 2 accidentally missed it, sorry.
 3 A. And the way they did that was by Roger
 4 agreeing that he would pay my Yankee salary, but also
 5 my other salary; so they were taking -- the Yankees
 6 got a check -- gave me a check every two weeks, but
 7 it was coming out of Roger's pay.
 8 Q. (BY JIM YARBROUGH) But the check actually was
 9 from the Yankee organization?
 10 A. Yeah, I was on payroll by then, which is
 11 what -- for to me get to benefits and to travel with
 12 the team, I had to be employed by them. So whatever
 13 money they gave me came from Roger's salary.
 14 BILLY BELK: What kind of an annual salary
 15 was it?
 16 BRIAN McNAMEE: Uh -- talk to Roger about
 17 that. Uhm -- so after -- so around July, August, as
 18 far as what I talked to the government about --
 19 uhm -- I don't know how it came up, but Roger wanted
 20 to start taking something.
 21 Q. (BY JIM YARBROUGH) When?
 22 A. In July.
 23 BILLY BELK: In 2000?
 24 BRIAN McNAMEE: Or in August -- late July
 25 or August 2000.

Page 62

1 Q. (BY JIM YARBROUGH) And what was it that he
2 was wanting to take?
3 A. Just -- uh -- he didn't want to take Winstrol,
4 obviously, because he had the abscess -- he had a
5 bad -- I know he didn't want to take that again. And
6 uhm -- Roger -- he -- I'm trying to -- at that time,
7 I already had a relationship with Radomski from
8 Grimsley and David Segui. And I know from David
9 Segui and Grimsley that Radomski was of -- a person
10 that got the best quality stuff from pharmacies or
11 doctors and a lot of major league players used; and I
12 knew that from David Segui, who was a player in
13 Toronto in '99.
14 So due to my continuing relationship with
15 Radomski about the cars and stuff and/or whether I
16 cut him -- I don't know if I cut off with the
17 Grimsley stuff before or whatever. Radomski would
18 give me stuff that was good that pitchers would take
19 and that, you know, he -- going based on what his
20 recommendation was, I got stuff for Roger or he gave
21 me stuff not knowing it was for Roger, but for
22 pitching. And I also believe -- a lot of the times I
23 talked to Radomski, he would talk about growth
24 hormone and how it was the greatest and latest and
25 everyone was taking it. They're giving it to

Page 63

1 people -- they're young, they're this, they're that.
2 The other thing, I know I had a brief
3 conversation with Roger about growth hormone; and he
4 said he wanted to try it. So I think -- I believe
5 it's going to say that I -- I believe that Roger
6 only -- in 2000 only took growth hormone, like, five
7 or six times, which is not a lot; because you have to
8 inject it two days on and one day off and stopped --
9 Q. So he took it how many times?
10 A. He took it, like, five or six times, but
11 stopped because he didn't like it.
12 Q. Do you know the -- do you know what it was
13 that he took?
14 A. Yeah, he took the growth hormone, Seimestin.
15 Q. Seimestin?
16 A. Yeah.
17 Q. How do you spell that, like S-e-m-i-s-t-o-n --
18 S-e --
19 A. S- -- it's S-e-i-m-e-s-t-i-n.
20 Q. Okay. And it's injected?
21 A. Yeah.
22 Q. Did you inject him or did he inject himself?
23 A. I injected him.
24 Q. What -- what part of the body?
25 A. In his belly.

Page 64

1 Q. And that was in the summer of 2000?
2 A. It was like August 2000 and I believe he
3 took -- put this like on a -- put this in, like,
4 "parentheses."
5 Q. Okay.
6 A. Yeah, that was 2000. I believe -- I think --
7 I think he -- I believe I told him he took -- and we
8 can find out when the report comes out. I think he
9 took four to six injections of testosterone, which I
10 believe was -- uhm -- I believe it was -- oh, Suston.
11 Q. What?
12 A. Suston, S-u-s-t-o-n.
13 Q. Okay. Now, that's --
14 BILLY BELK: Now, Suston is a human growth
15 hormone or is it a testosterone?
16 Q. (BY JIM YARBROUGH) It's a steroid.
17 A. It's a steroid, testosterone. It's a mixture
18 of, like, four or five testosterones. It's one of
19 the safest ones.
20 Q. But that's in addition to the -- to the human
21 growth --
22 A. Right. He tried the human growth and -- and
23 uh -- I think because of the consistency of it, it
24 was just hard to do. So I'm guessing. I told the
25 government. I said -- I told the government he only

Page 65

1 did it, like, four or five times, but stopped because
2 he didn't like it.
3 I told the government that he -- when they
4 kept hounding me about Roger why -- like -- they
5 asked "Why did he take it so late in the season?"
6 And I -- I don't think they wrote this, but I said I
7 think maybe just because, you know, for energy and
8 recovery; because he never did anything, I think,
9 after August like -- or before August.
10 Q. Okay.
11 A. And they asked me why he didn't continue to
12 take -- like why he only took so little testosterone.
13 I said, I -- I think they ordered me in saying that I
14 believe Roger -- and I was trying to defend him --
15 was that he told me that he just -- he doesn't have
16 to take a lot of it, but they didn't say that. They
17 just said that I said that he has a good response to
18 it.
19 And my explanation of that was that's why
20 he didn't have to take a lot of it, like guys who
21 take a lot of stuff, like, over weeks and weeks and
22 weeks.
23 "Why would Roger only take it for four
24 weeks?" And I said "Roger" -- you know, I forget.
25 He stated that he gets good response from it, meaning

1 he doesn't need a lot; and he only took it late in
 2 the season because -- for energy.
 3 Q. And the testosterone was four to six -- is
 4 that -- that's injections. Where do you inject that
 5 at?
 6 A. That's in his butt.
 7 Q. In his butt. And did you inject it?
 8 A. Yeah.
 9 Q. And how often is that?
 10 A. I just said it was, like, every ten or twelve
 11 days. They kept hounding me about my computer
 12 records, if Roger took records, if anyone did. "How
 13 did you know when to do it?" And another thing that
 14 they said, I think, was that Roger would just give me
 15 heads up on when -- I don't -- I mean, I didn't keep
 16 track of it. I didn't have any records of it. And I
 17 can't tell you exactly, but obviously Roger would
 18 come to me and tell me when he -- you know, it was
 19 time or something to do another injection and I never
 20 pursued it.
 21 Q. And who was holding the product? Where was
 22 the product at? Was it at Roger's house? Did you
 23 have it?
 24 A. I -- it was at Roger's house, but I told them
 25 I had it.

1 Q. Okay. So, in reality, it was at Roger's
 2 house; but you told them you had possession of it?
 3 A. And I told them Roger never paid for it, and
 4 they wanted to know why. And I said because a lot of
 5 times, when I would meet up with Kirk, he would give
 6 me extra stuff, thinking that either I would take it
 7 or to try; and Kirk said that "You take care of me, I
 8 take care of you." I never took the stuff, but I
 9 always had the stuff. That's what I told them.
 10 And they said, "Why would you -- why
 11 wouldn't Roger pay for it?"
 12 I said, "Well, Roger always took care of
 13 me. You know, as far as I was concerned, if I needed
 14 money, I would tell Roger "I need money." And I
 15 was -- Roger was -- I was always ahead of Roger
 16 financially, so I told him that he didn't have to pay
 17 me for it because I didn't pay for it.
 18 Q. Okay. Brian, in any of this, and during this
 19 whole time that this is taking place, were there ever
 20 any records that the government could have gotten?
 21 In other words, did Roger ever give you a check that
 22 you went to a store and purchased this stuff or was
 23 there any Fed-Ex packages delivered that could be
 24 traced back? Was there any kind of paper trail,
 25 documentation, on any of this stuff?

1 A. No. I don't know about Roger.
 2 Q. On your part?
 3 A. No, not that I know of.
 4 BILLY BELK: So with Radomski, it was cash
 5 and sometimes he gave you extra for credit, "You take
 6 care of me and I'll take care of you"?
 7 BRIAN McNAMEE: It was "You take it," you
 8 know. The guy, obviously, later on, I figured out
 9 that that was his business; but I didn't know that.
 10 But he would give -- he would give me a lot of stuff
 11 for nothing and I would have.
 12 BILLY BELK: Uh-huh.
 13 BRIAN McNAMEE: You know, not knowing --
 14 not that he would know that, maybe, Roger would ask
 15 for it, but he didn't know that.
 16 BILLY BELK: And you traveled with the
 17 team --
 18 BRIAN McNAMEE: Yeah.
 19 BILLY BELK: -- and you'd carry it with
 20 you when you traveled?
 21 BRIAN McNAMEE: (No audible response.)
 22 BILLY BELK: How would you get it or did
 23 you just give it when --
 24 BRIAN McNAMEE: It wasn't with me when I
 25 would travel.

1 BILLY BELK: So, where did it stay?
 2 BRIAN McNAMEE: Where did it stay?
 3 BILLY BELK: Where did the product stay if
 4 you were giving him?
 5 BRIAN McNAMEE: At my house.
 6 BILLY BELK: And only when they were at
 7 home?
 8 BRIAN McNAMEE: I told them that most of
 9 the injections -- the only time I ever injected Roger
 10 was at his apartment on 90th and 1st. He did ask
 11 that and that is in the report.
 12 Q. (BY JIM YARBROUGH) 90th and 1st?
 13 A. Yeah.
 14 Q. In -- in New York?
 15 A. (No audible response.)
 16 Q. What -- which --
 17 A. Manhattan.
 18 Q. In Manhattan?
 19 A. In Manhattan.
 20 Q. Okay. Now, sorta back to the timeline: We've
 21 got -- let's see. On the testosterone, that went on
 22 for 10 or 12 days. What about the human -- the human
 23 growth stuff, four or five times, over what period of
 24 time would that have stretched out?
 25 A. Like two weeks.

1 Q. Two weeks?
 2 A. (No audible response.)
 3 Q. Okay. What's the next important date in the
 4 timeline?
 5 A. 2001.
 6 Q. Is there anything with Andy up to this point?
 7 A. No.
 8 Q. Okay. So when in 2001?
 9 A. Basically, the same exact thing, other than
 10 the growth hormone.
 11 Q. So around August?
 12 A. That's what it is, same exact (inaudible) --
 13 Q. So nothing -- no human growth hormone --
 14 A. Right.
 15 Q. -- in 2001?
 16 A. Yeah, and he said "Why?" I just said, "I
 17 don't know." You know, I -- they hammered me about
 18 that. I said, "I don't know. I guess it didn't work
 19 for them. I don't know," you know. And the same
 20 thing was, I think it was five or six times of either
 21 Suston or Deca-Durabolin. I said I wasn't really
 22 sure.
 23 Q. Spell that Suston for me again.
 24 A. S-u-s-t-o-n.
 25 Q. So, either Suston or what?

1 besides you and Roger?
 2 A. No.
 3 Q. So no one ever witnessed this?
 4 A. No.
 5 Q. Okay. Was it -- did it, typically, take place
 6 before games, after games, off days?
 7 A. After, because, like, usually I would follow
 8 him to his place.
 9 Q. After games. Okay. And what's --
 10 BILLY BELK: Jim, hang on a second.
 11 JIM YARBROUGH: Yes.
 12 BILLY BELK: I'm just curious about it.
 13 Now, you said originally that he would take it to get
 14 him up for energy; but he would take it after games
 15 because he exerted so much energy he'd go down and
 16 then he'd have to get back up or what -- am I missing
 17 something?
 18 BRIAN McNAMEE: Yeah -- no, you're missing
 19 something. You -- he didn't -- he's a pitcher. He
 20 pitches every fifth day.
 21 BILLY BELK: Right.
 22 BRIAN McNAMEE: So it obviously wouldn't
 23 be on a day he pitches.
 24 BILLY BELK: So he wouldn't get shots on
 25 the day he pitched?

1 A. Deca -- D-e-c-a-D-u-r-a-b-o-l-i-n.
 2 Q. Okay.
 3 A. And I said that was, like, maybe five or six
 4 or seven times.
 5 Q. Five to six or six to seven?
 6 A. Five to seven.
 7 Q. Five to seven?
 8 A. Five to six, five to seven.
 9 Q. Seven times -- over what period of time would
 10 that have stretched out?
 11 A. I -- I guess that would have been a period
 12 of -- it would have to be four -- four to six weeks,
 13 I guess.
 14 Q. And it's given how often again now?
 15 A. It's usually -- I would -- I would probably
 16 think seven to ten days, seven at the earliest, ten
 17 is the norm, every ten days.
 18 Q. Every seven to ten days?
 19 A. Right.
 20 Q. Okay. And, again, you injected -- you
 21 injected him those times. In his butt?
 22 A. Yeah.
 23 Q. At his apartment?
 24 A. Yeah.
 25 Q. Was anybody ever there when you did this

1 BRIAN McNAMEE: No.
 2 BILLY BELK: So it, theoretically, would
 3 be before games -- two or three days before a game.
 4 He didn't get shots on the games that he pitched?
 5 BRIAN McNAMEE: No, it's -- it's -- the
 6 testosterone, I guess, as far as energy -- uhm --
 7 it's usually -- you look at the long season. From
 8 spring training and you start to wear down after
 9 July. I guess testosterone -- adding testosterone to
 10 your body enables you to have more energy the next
 11 day to work out -- the next day to work out in the
 12 bullpen and then to pitch -- it's -- I don't know of
 13 a regimen of taking an injection the day you pitched
 14 to help you. I mean, it's not like an amphetamine
 15 where it gives you energy.
 16 I'm just thinking -- I think it's just as
 17 your body wears, especially at a certain age, I think
 18 the testosterone will aid in healing and recovering
 19 on a seven-to-ten day protocol.
 20 BILLY BELK: So, when you said after the
 21 game, it wasn't on the day of the game after he
 22 pitched and then you did shots? It would be off
 23 days?
 24 BRIAN McNAMEE: No, I'm telling you it
 25 would be after a game, not his game.

1 BILLY BELK: Okay.
 2 BRIAN McNAMEE: Just because that was, I
 3 guess, the most convenient time for us to get
 4 together.
 5 BILLY BELK: Now I see. Okay.
 6 Q. (BY JIM YARBROUGH) Okay. So, when's the next
 7 important timeline point?
 8 A. That's it.
 9 Q. 2001, August, was the very last time for
 10 Roger?
 11 A. Yeah, they -- they -- they actually -- you
 12 know what, I should keep my mouth shut, but I don't
 13 understand. There's things where I don't understand
 14 why -- first of all, you have a players union. You
 15 have agents. You have 90 percent of free agents
 16 aren't signed out of 112. Why would they allow this
 17 report to come out now? Because if one of those free
 18 agents are in this report, they're not going to get
 19 that multi-year deal. They're not going to get --
 20 first of all, why would the players union let this go
 21 on? That's the first thing.
 22 The second thing is: The government, they
 23 did everything illegal to me they could possibly
 24 think of, as far as threat, as far as procedure, as
 25 far as legality. They did things to me to get this

1 obviously -- whatever information they had, they knew
 2 that I didn't lie to them.
 3 And they said that they wanted to see --
 4 they told me they wanted to see if I would be a
 5 valuable witness to their investigation if they lock
 6 people up. I think they locked on Grimsley. I think
 7 they locked on -- or whoever they're locking on, if I
 8 would be a valuable witness. So, first, they had to
 9 see, first of all, if I would tell the truth and then
 10 the information I had.
 11 So after our two-day thing, which had to
 12 do with Radomski, Grimsley, Segui, maybe Stanton,
 13 whoever Radomski dealt with -- because Roger and Andy
 14 never did any -- dealt with Radomski.
 15 Q. (BY JIM YARBROUGH) Never directly?
 16 A. Never, but -- never directly, but --
 17 Q. Indirectly through you?
 18 A. Right, but no one knows that. So by holding
 19 the arrest, the federal arrest on both ends, "lying
 20 and distributing" over my head to give them more
 21 information than what they needed, which is what in
 22 turn they wanted, because they wanted to force me to
 23 talk to Mitchell.
 24 So, then, when I told them I was not going
 25 to talk to Mitchell, "Thank you. Have a nice day,"

1 information that I can't believe that they allowed
 2 this to go on.
 3 BILLY BELK: Like what?
 4 BRIAN McNAMEE: But, with that said, it
 5 was a Mickey Mouse operation. It really was, their
 6 stuff. You know what, in hindsight, I don't think
 7 they knew anything.
 8 Q. (BY JIM YARBROUGH) All right. You,
 9 obviously, have a background as a police officer.
 10 What do you believe that they did in their
 11 investigation, their tactics or whatever they did,
 12 what do you think they did that was either --
 13 either -- I mean, it could have been illegal or it
 14 could have been unethical or what -- what would have
 15 it been?
 16 A. Other than -- other than their right, other
 17 than their right to talk to me as a target in an
 18 investigation of steroid distribution and then
 19 telling me that if I helped them in their
 20 investigation in steroid distribution that I would
 21 not be a target, that was their right.
 22 Then turning that over and then telling me
 23 I'm not a target and then asking me to help Senator
 24 Mitchell and then I didn't -- I said I don't want to
 25 help Senator Mitchell after telling me I'm -- they

1 they said, "Well, then, all bets are off and then
 2 you'll become a target again."
 3 Besides what happened to me physically,
 4 telling me that I can't make it -- phone calls from
 5 Peralta and from Novitzky to me and to my attorney,
 6 yelling at me, telling me if I don't show up to the
 7 Mitchell interview, that I'm going to jail. And they
 8 will talk to me and I will have to talk to Mitchell
 9 and I am going to jail.
 10 Then providing Mitchell with my bank
 11 records, providing Mitchell with everything private
 12 that's private about me and giving that to Mitchell
 13 and then sitting me in front of Mitchell. I would
 14 not speak to Mitchell. Novitzky read down a list of
 15 stuff that I said "yes" to or "no," a list of things
 16 that I agreed to, that I knew that happened; and all
 17 I had to do was sit there and say "Yeah."
 18 Novitzky would read the next line: "Did
 19 you say that?"
 20 "Yeah."
 21 "Did you say that?"
 22 "Yeah."
 23 Novitzky and Mitchell -- and all those
 24 people sat on the other side of the table. Novitzky
 25 stood right there, continue. And, then, that's when

1 the next time they wanted Mitchell to talk because
2 they wanted me to, but Mitchell never contacted me.
3 The federal government contacted me, saying "You have
4 to talk to Mitchell."

5 Not only was -- they continued to hold the
6 fact that I was a suspect, not showing that I was a
7 compliant witness, that I was compliant suspect.
8 Because I'm still a suspect, because you're a suspect
9 if they're going to lock you up eventually. So as of
10 right now, I'm still -- I'm not someone that helped
11 them. I'm someone that's a suspect that helped them.

12 They called my house.



17 And my attorney is like, "Well, you know,
18 you're helping." I'm not helping. I'm not -- this
19 is not willful. Every time I said I don't want to
20 help, they say I'm going to jail.

21 Oh, yeah -- but, then, the other attorney
22 goes, "Well, Mack, you've got a point."

23 "Yeah, I've got a point. They call my
24 house -- my wife has a tape now that an FBI -- or an
25 FBI agent's calling my house looking for me, she

1 BILLY BELK: -- and then all this coercion.

2 BRIAN McNAMEE: I went on record twice, "I
3 don't want to talk to Mitchell," right to Peralta.
4 Peralta said -- you just told me on the second day,
5 you know, "Thank you for being very, you know,
6 honest. We appreciate it. Thanks for helping us.
7 You know, you understand we might need you with the
8 grand jury or whatever to testify. You know how to
9 talk. Are you familiar with the Mitchell
10 investigation?"

11 "Yeah."

12 "We know -- we know that Mitchell would
13 like to speak to you."

14 "Yeah."

15 "We would like you, with our help, to
16 speak to Mitchell."

17 "No, I don't want to do that. I don't
18 want to bother with it."

19 "Well, then, you're going to be considered
20 a target again and we're going to consider charging
21 you."

22 "So wait a second" -- and my lawyer's
23 sitting right there -- "So what you're telling me, is
24 if I don't talk to Mitchell with you, that I'm going
25 to get locked up? That's what you're telling me?"

1 goes -- you know, plus whatever I'm involved in. So
2 that doesn't help me. So they just -- they fluff.
3 They do whatever they want to get me into this.

4 Then when I go to Mitchell, Mitchell --
5 "Oh, so, you have a check from Clemens on here in
6 this bank account on this day." They had everything.
7 That's illegal. It's a private investigation. The
8 government gave him my bank records -- gave him
9 everything.

10 Q. So, Novitzky and that group subpoenaed all
11 your financial records and then turned them over to
12 Mitchell's group?

13 A. Yeah.

14 BILLY BELK: Do you know how they
15 subpoenaed? Did they give you copies of grand jury
16 subpoenas or anything like that?

17 BRIAN McNAMEE: I didn't get anything.

18 BILLY BELK: Your lawyers -- did they give
19 you anything?

20 Q. (BY JIM YARBROUGH) They never served you with
21 a grand jury subpoena?

22 A. No.

23 BILLY BELK: So, they used the government
24 process to gather all the information and then --

25 BRIAN McNAMEE: Uh-huh.

1 He said, "Yeah, that's what we're telling
2 you."

3 I said, "All right."

4 Q. (BY JIM YARBROUGH) Well, what was he going to
5 charge you with?

6 A. Conspiracy to distribute. That's what they
7 were holding over my head, plus the fact that I lied
8 to them. I picked up a couple of bags, you know
9 what, maybe three times and that was it.

10 BILLY BELK: Did your attorneys mention
11 anything about the statute of limitation on any of
12 this stuff that happened?

13 BRIAN McNAMEE: He said they had six
14 years.

15 BILLY BELK: So all this took place -- not
16 the interviews --

17 BRIAN McNAMEE: July, August.

18 BILLY BELK: Of this year?

19 BRIAN McNAMEE: Yeah.

20 BILLY BELK: Okay.

21 Q. (BY JIM YARBROUGH) So you had a two-day
22 interview with Novitzky's group. Did you -- and,
23 then, you -- at some point in time, they got you in
24 front of Mitchell's group?

25 A. Yeah --

1 Q. When was that?
 2 A. -- like a month later.
 3 Q. So that would have been, like, in August?
 4 A. No, actually, it was July 20-something.
 5 Q. It was in July?
 6 BILLY BELK: In June, you met with
 7 Novitzky and then July --
 8 BRIAN McNAMEE: So that's June and then it
 9 was like a month later.
 10 Q. (BY JIM YARBROUGH) And were the same
 11 government agents present at that meeting?
 12 A. Yeah, yeah.
 13 BILLY BELK: Now, any of those bank
 14 records, did you surrender them voluntarily --
 15 BRIAN McNAMEE: No.
 16 BILLY BELK: -- or did they use government
 17 process --
 18 BRIAN McNAMEE: I was shocked.
 19 BILLY BELK: Well, that's interesting to
 20 us that they would use the arm of the federal
 21 government to fund a private investigation for Major
 22 League Baseball.
 23 BRIAN McNAMEE: That's what I'm raising
 24 hell, but no one gives a shit and they just want me
 25 to shut-up. I'm on the phone with my attorney before

1 right" or "No, that's not right"?
 2 A. Right.
 3 Q. I'm assuming you said "Yeah, that's right."
 4 You never said "No, that's not right"?
 5 A. I said "no" to a couple of things and they
 6 just didn't, you know, read whatever. I might
 7 have -- yeah, a couple of times I might have said
 8 "no, that's not really it" or that's not what
 9 happened, no. I did embellish on what I didn't think
 10 was right.
 11 Q. Okay.
 12 A. And Mitchell -- you know, they did have some
 13 questions, you know, that I answered; but --
 14 Q. So, how do you know -- have you been given a
 15 preview of what's going to be in the Mitchell Report?
 16 A. Yeah.
 17 Q. You have been?
 18 A. They read -- they read back to me the other
 19 day --
 20 Q. Who's "they"?
 21 A. It was -- the government was on the phone,
 22 everybody that I told you about.
 23 Q. Novitzky's group?
 24 A. Yeah, and then also Mitchell's group, Senator
 25 Mitchell; and there's a guy named Charlie, who's like

1 you got here. I'm like -- they're, like, just let
 2 it -- "You know what, it's bad enough," I says. He
 3 goes, "You don't want to piss off the government
 4 because they -- you know what, you piss them off,
 5 they'll come after you."
 6 BILLY BELK: How did you find your
 7 attorney? Is that somebody you knew in the past
 8 or --
 9 BRIAN McNAMEE: I've had him -- this guy
 10 I've known and he's helped me out a little bit; and
 11 the other guy I've known for years. So it's --
 12 Q. (BY JIM YARBROUGH) So, let me make sure.
 13 When you met with the Mitchell group, did that just
 14 last for half day or a couple of hours or something
 15 like that?
 16 A. Two hours.
 17 Q. I mean, was it just long enough that Novitzky
 18 would read --
 19 A. Two hours.
 20 Q. Okay. So, two hours and --
 21 A. 
 22 
 23 
 24 Q. And Novitzky would just read something and you
 25 would tell them -- and you would say "Yeah, that's

1 the key speaker of the Mitchell group, who's like the
 2 head attorney in Mitchell's law firm. He's the one
 3 I've been dealing with.
 4 Q. Okay. And, then, what did they tell you?
 5 A. They read back that -- everything that I told
 6 you, other than we haven't talked about Andy yet.
 7 Uhm -- they talked about -- they just said that --
 8 kinda like "Brian McNamee states that in 1998 that he
 9 injected Roger Clemens, maybe, four or five times
 10 with Winstrol." Uhm -- "Brian McNamee also states
 11 that" -- oh, they said, like, "in their hotel room at
 12 the Sky Dome."
 13 "Brian McNamee also states that he
 14 witnessed a party at Canseco's house where -- that
 15 Roger and Canseco and some other guests went into a
 16 room where possibly that's where the drugs were --
 17 possibly where the Winstrol V was obtained around
 18 that time in June of '98."
 19 I -- I wanted them to take that out,
 20 because I had no idea. That's what -- the government
 21 presented that to me and they said, "Brian, you have
 22 to understand that you did -- you said you noticed
 23 that, but we also talked to a lot of other people."
 24 And if you read the next couple pages of the report,
 25 you'll see why it's still in there.

Page 86

1 My assumption was that someone said that
 2 they -- or someone else confirmed it, that's where
 3 Roger and Canseco got their drugs from. Uhm -- then
 4 it goes to like, uh, in the year 2000 -- uhm -- also,
 5 the relationship, they established my relationship
 6 with Radomski -- uhm -- that in the year 2000
 7 somewhere, you know, I think it was around late July
 8 or August Roger came to McNamee and somehow, uhm,
 9 expressed to him that he was ready to start up,
 10 meaning taking steroids; and McNamee, uh, through his
 11 dealings with Radomski had steroids -- uhm -- that
 12 Roger didn't pay for.
 13 And he also states -- McNamee also states
 14 that Roger -- that McNamee injected Roger with a
 15 growth hormone for a couple of times, but Roger
 16 stopped because, uh, McNamee's assumption, I think,
 17 is that it didn't work that well -- uhm -- and that
 18 McNamee states that he injected Clemens five or six
 19 times with testosterone, maybe Suston or Deca, uh,
 20 that was obtained from Radomski. Clemens never paid
 21 for it -- uhm -- stating that McNamee states that
 22 Clemens was always ahead and the fact that Radomski
 23 didn't charge McNamee for it or McNamee had it.
 24 And same thing, 2001, Clemens -- McNamee
 25 injected Clemens five or six times with testosterone,

Page 87

1 maybe Suston, or Deca-Durabolin that was obtained
 2 from Radomski that McNamee had that Clemens didn't
 3 pay for. Uhm -- and, then, after the 2001 season,
 4 uh, McNamee wasn't retained by the Yankees. And they
 5 said that our relationship was never the same, but
 6 I -- they said I got fired because of the Florida
 7 incident. I had them take that out because I didn't
 8 want them to bring that shit up again. So, then,
 9 they took that out.
 10 They just said McNamee wasn't retained
 11 after the 2001 season. They also took out that me
 12 and Roger's relationship weren't the same. I just --
 13 I didn't -- it sounded like me and him didn't get
 14 along anymore. I said, "Well, I know I'm still
 15 helping -- I still worked with Roger. I just wasn't
 16 with the team." So they took that out.
 17 Then they referred to an article that was
 18 a bullshit article in the Daily News that said that I
 19 never gave steroids to Roger or Andy and I told them
 20 that I -- uhm -- that I wasn't misquoted, but it
 21 wasn't a quote. I just -- it was in passing, that,
 22 "Yeah, why would I say I gave him steroids and I -- I
 23 lied because why? Why would I want to ruin the
 24 repu- -- my reputation or anybody else's?" Because
 25 they referred to this article in the Daily News by

Page 88

1 T.J. Quinton.
 2 And I said, "Yeah, it was -- I mean, it
 3 was a party article." I said that article was -- you
 4 know, they killed me in it. They said that I never
 5 gave Roger any steroids. All I did was give him
 6 vitamins, which is true. That's all I recommended
 7 was vitamins. I didn't recommend steroids. But they
 8 put that in there.
 9 I said, "Well, if I said it, it wasn't --
 10 they weren't. It wasn't like I was cornered in the
 11 yard, but I did probably say that. And why would I
 12 say that I gave him steroids. It wasn't in the
 13 article.
 14 So they said that McNamee didn't admit
 15 saying it, but also admitted to not telling the truth
 16 and that was to -- uhm -- to protect the kids or
 17 about the players and also my reputation. So they
 18 did address that article in the report.
 19 Then they go to -- uhm -- I mean, they
 20 talk a little bit how I still work with Clemens, but
 21 not that much. Uhm -- then they go to the time
 22 Andy -- and then they go to Andy and when Andy got
 23 hurt --
 24 Q. Okay. But before we get into Andy, I just
 25 want to make sure that the last -- the last time that

Page 89

1 they talk about Roger taking anything, to your
 2 knowledge, was in August 2001?
 3 A. Yeah.
 4 Q. Okay. And everything that he took, with the
 5 exception of the very first time, the Winstrol, all
 6 of the other stuff came from Radomski; is that right?
 7 A. Yeah, but Roger didn't know that.
 8 Q. But Roger didn't know that?
 9 A. Yeah.
 10 Q. Okay. And is there a record of -- is there a
 11 record of you paying Radomski for any of this stuff?
 12 A. No.
 13 Q. If you paid him, you paid him in cash or he
 14 would give it to you; is that --
 15 A. Yeah.
 16 Q. -- a fair assumption?
 17 A. Yeah.
 18 Q. And, as far as the Winstrol goes, you don't
 19 know where that came from. You're assuming that it
 20 came from Canseco?
 21 A. It came from Canseco.
 22 Q. From Canseco, because you ended up giving --
 23 A. I didn't tell them. I mean, I don't know.
 24 Q. You didn't tell them it came from Canseco?
 25 A. No, it was just right around that time. I

1 also don't know what else they know.
2 Q. Okay. Hey, Brian, did -- I'm just curious.
3 Did Novitzky ever try to put the squeeze on you about
4 IRS implications, about you're being paid, not
5 reporting your earnings or anything? That never -- I
6 mean, you don't think they're trying -- that's the
7 trump card they've got on you?
8 A. I've thought of it, but not from them. I
9 mean, I'm not concerned about it. I wouldn't count
10 on it.
11 Q. Okay.
12 A. I'm not -- but they can do whatever they want.
13 Q. Okay.
14 A. But --
15 Q. Because that's how they got me and that's sort
16 of how some of these things come about, is through
17 IRS indictments of not reporting --
18 A. It's never been talked about.
19 Q. Okay. Okay.
20 A. My thing is -- I only thought about it,
21 thinking that if I didn't -- also, what else could --
22 what else could they hit me with, if I didn't help?
23 BILLY BELK: And the A.U.S.A. he talked
24 about conspiracy to distribute steroids?
25 BRIAN McNAMEE: Who did?

1 BILLY BELK: The assistant U.S. attorney.
2 BRIAN McNAMEE: Well, yeah, that's how
3 they got me to sit down with them.
4 BILLY BELK: That's the --
5 JIM YARBROUGH: That's what they were
6 holding over your head?
7 BILLY BELK: -- what they were holding
8 over your head?
9 BRIAN McNAMEE: Yeah.
10 BILLY BELK: -- was the --
11 Q. (BY JIM YARBROUGH) Okay. Well, let's talk
12 about Andy now.
13 BILLY BELK: Well, let me back up just a
14 second.
15 MR. YARBROUGH: Okay.
16 BILLY BELK: With them having the
17 conspiracy, holding it over your head, were they
18 saying that's because what Radomski has said that you
19 were one of his customers or how did they have proof
20 that any of that was over your head?
21 BRIAN McNAMEE: They had -- they had
22 enough dialogue to make me convinced that they had
23 enough proof for me to talk to them.
24 BILLY BELK: Okay.
25 BRIAN McNAMEE: How did I not know that --

1 I mean, within the first two meetings, I was still
2 under the impression that Roger and Andy might have
3 talked to them, as far as what they were telling me.
4 I was still under the -- I -- my mind-set was, since
5 I sat down with them, how do I not know what they
6 don't know -- how do I not know what someone didn't
7 tell them? I don't know.
8 BILLY BELK: Right.
9 BRIAN McNAMEE: How do I not know they
10 don't have video camera? I couldn't. I don't know.
11 So to answer your question, I had to
12 assume that they knew everything; and I had to assume
13 that they had concrete evidence about -- from
14 players, from Radomski, about me picking up Anadrol
15 or something.
16 BILLY BELK: Did they ever tell you what
17 the penalty range you're looking at, you know, ten
18 years in the federal prison or anything like that?
19 BRIAN McNAMEE: No, never.
20 BILLY BELK: They just --
21 BRIAN McNAMEE: And my attorney -- the
22 fact that it would cost me, you know, a federal wrap,
23 my attorney would advise me that it would cost me --
24 you know, asked me if I had several hundred grand to
25 fight it, you know. But, no, they didn't bring it

1 up.
2 Q. (BY JIM YARBROUGH) Hey, Brian, when they --
3 when they had -- when they got your bank records and
4 stuff, do you know if they -- did they ever tip their
5 hand as having gotten Clemens' or Petite's bank
6 records?
7 A. I just know that they -- they knew all the
8 moneys that Andy and Roger sent me. I know that.
9 Q. Did they know that by --
10 A. They said it on the phone. I didn't see any.
11 Q. But, I mean, did you -- did they tell you that
12 by deposits that you had made into your account or --
13 I mean, thinking back on that now, think about that
14 for a minute. Do you --
15 A. They knew of deposits and the amounts.
16 Q. But do you think they knew of a check -- I
17 mean, like canceled checks that Roger had written or
18 Andy or do you think they got their -- I'm assuming
19 they did, I mean, but I don't --
20 A. This is only coming from Mitchell, the guy,
21 Charlie, with the government in the room; and I -- I
22 was on the phone. It was a conference call. I had
23 to fly back from Mexico. Take it for what it's
24 worth. They had way too much private information of
25 mine and I was shocked that they had it.

1 BILLY BELK: Did they know how much money
2 you were getting paid that -- regular checks that
3 were going into your account?

4 BRIAN McNAMEE: They asked me about bank
5 accounts and deposits and the amounts, different
6 times, what -- like maybe once or twice what this
7 amount was for and the bank. They asked me about --
8 they asked me about -- they knew that I -- they
9 wanted to know why I had an apartment down the hall
10 from Roger. They also wanted to know -- the only
11 place I know of Roger having lived in -- in Manhattan
12 is the apartment building on 90th -- I think it
13 was -- was it 400 East 90th? But whatever. It was
14 90th and 1st. That's the only place I know of Roger
15 living at.

16 They hounded me about another place that
17 was in Roger's name somewhere in Manhattan. And I'm
18 like "I don't know." And I couldn't even lie about
19 it. I really -- I mean, I know Roger real well. He
20 might have had it for family to stop by or I don't
21 know -- parties. I don't know, he might have had
22 another place; but I don't know anything about it.
23 But they were at -- that's -- as far as I know, I'm
24 just letting you know that they had extensive records
25 on a lot of it, if that helps. I don't know about

1 JIM YARBROUGH: Okay.

2 BILLY BELK: In '98, '99, 2000, and 2001,
3 in that time span, you were married with kids. Were
4 you telling your wife about what was going on?

5 BRIAN McNAMEE: About what?

6 BILLY BELK: In regards to what we just
7 talked about, shots given to Roger Clemens.

8 BRIAN McNAMEE: I don't -- I don't -- not
9 really, but I don't --

10 BILLY BELK: It's a circular question,
11 because you're going through a divorce. She has a
12 divorce attorney. If it's an ugly divorce --

13 BRIAN McNAMEE: She doesn't have an
14 attorney yet. She's doing this through our -- she
15 has an attorney advising her. No, that's not --

16 BILLY BELK: That's not coming up in any
17 stuff?

18 BRIAN McNAMEE: No.

19 Q. (BY JIM YARBROUGH) Do you think you ever had
20 discussions with anyone that this -- either the
21 Mitchell group or the government could have gotten
22 that would have testified before them that "This is
23 what Brian McNamee told me"?

24 A. No. I mean, I am -- I'm pretty legit with
25 being in lock-down. I mean, I can -- I think -- like

1 bank --

2 BILLY BELK: How did Roger pay you?

3 BRIAN McNAMEE: By wire.

4 BILLY BELK: Do what?

5 BRIAN McNAMEE: Wire transfer.

6 BILLY BELK: Wire transfer. Was it --

7 BRIAN McNAMEE: Cash -- I mean, he wired
8 money to my account.

9 BILLY BELK: So --

10 BRIAN McNAMEE: If I asked -- if I needed
11 money, I went through Anna -- Anna Shaheen
12 (phonetic).

13 BILLY BELK: Okay. And when it was wired
14 on your bank statements, does it say "Roger Clemens"
15 or "The Foundation" on the deposit?

16 BRIAN McNAMEE: "Roger Clemens."

17 Q. (BY JIM YARBROUGH) Did they ever ask you if
18 either one of these guys paid you in cash?

19 A. I don't think so. If they did, it was
20 insigni- -- it was insignificant.

21 Q. Okay.

22 A. But it wasn't -- yeah, I don't want to -- I
23 didn't -- I don't think they asked me about cash.
24 And if they did, I don't think they had an angle on
25 it.

1 I know -- put it this way: I might have laughed at
2 assumptions because everyone had them, but I never
3 talked about them. I never embellished or talked to
4 anybody about them. If anything, I defended it
5 because he did a good service to my talent.

6 Uhm -- I know Roger got duked once by Mike
7 Stanton, which pissed me off. I also know Roger --
8 Roger had an injection once and it bled through his
9 pants, and I think someone saw the blood through his
10 pants. So I know Roger started buying little
11 Band-Aids with the injections, if they bled. I know
12 that and I know that got under his skin a little bit.

13 BILLY BELK: When was that -- what, the
14 blood on the uniform pants?

15 BRIAN McNAMEE: No, his dress pants.

16 Q. (BY JIM YARBROUGH) Was it an injection you
17 had given him?

18 A. Yeah -- uh -- yeah. Uhm -- but I know Stanton
19 duked him on the plane once about -- because I did
20 work with Stanton and Stanton did ask me a lot of
21 questions, which I had more knowledge about -- about
22 either the growth hormone or Kirk. And I think he
23 said something to Roger and Roger like -- something
24 around the lines of "So Mack's got you?" I don't
25 know if he said "Mack's got you" or -- he made it

1 sound like I told Stanton that Roger was taking
 2 something, a growth hormone.
 3 And Stanton -- and I know Roger's reply
 4 was -- to Stanton, "Hey, man, I'll take anything for
 5 an edge" or "I'll do anything for an edge." And I
 6 caught that. And then I grabbed Roger, I think,
 7 either that night or the next day; and I said,
 8 "Listen, I never said anything to Stanton. I haven't
 9 told anybody anything about anything." I said, "He
 10 was playing you." And he just fluffed it off, like
 11 he didn't give a shit.
 12 And that's just -- I don't know. As far
 13 as other people that I think might know -- plus, you
 14 know what, I think Roger -- I know there was an
 15 incident that Andy told me about that -- uhm --
 16 there's two things: One night out with Roger with
 17 Canseco at a bar in Miami, Canseco admitted to Roger
 18 and Canseco -- I kinda caught the -- like, I wasn't
 19 really listening. I was actually trying to watch
 20 their ass. I wasn't drinking.
 21 And I said, "I know Canseco mentioned
 22 something about steroids." And Clemens's response
 23 was "I know. I got -- I won two Cy Young awards on
 24 that shit," which I didn't appreciate him saying. I
 25 never talked to him about it, but I know that's what

1 he was talking about. And Canseco was with two other
 2 guys, and I was actually standing next to Canseco's
 3 wife for a little bit out of the circle up against
 4 the bar.
 5 Uhm -- I know that Sheffield made a
 6 comment in the paper that someone should check
 7 Clemens's water to see what he's drinking. And I
 8 know Andy made a direct -- Andy told me personally
 9 that he thinks that Roger might have talked to Giambi
 10 about some stuff and Giambi talks to Sheffield. I
 11 think that's when Sheffield was getting a lot of shit
 12 about BALCO.
 13 Q. (BY JIM YARBROUGH) Andy said what again now?
 14 A. He said that the reason why Sheffield might
 15 have said that to the media was because Roger --
 16 well, Sheffield and Giambi talk a lot. They're
 17 friends. They're close. And he -- Andy's opinion
 18 was he thought Roger might be saying -- or said some
 19 stuff or talked to Giambi about it, and that's why
 20 Sheffield said that. None of this I talked to
 21 anybody about, as far as the government and Mitchell.
 22 Q. Okay. And what was it, again, that Sheffield
 23 said?
 24 A. Sheffield had a quote in the paper stating
 25 that, "You know, you guys are" -- and it was

1 something like, "You know what, everyone's chasing me
 2 and Bonds or something. Why doesn't someone go and
 3 check what's in Roger's water. I'm sure that's not
 4 just Gatorade." And it was a direct reference to
 5 "why isn't people with Anadrol steroids."
 6 And Andy's response -- I was training him
 7 at the time -- and he said he thinks that Roger might
 8 have said something to Giambi.
 9 Q. Okay. Who -- when he had -- when he bled
 10 through his pants and you said someone saw that, was
 11 it -- do you remember who saw it? Was it someone
 12 significant that would have made a comment about it?
 13 A. I'm assuming -- I don't know. I'm assuming
 14 with the way Roger reacted that someone saw blood on
 15 his pants.
 16 Q. But no one in particular?
 17 A. I don't know. No way.
 18 JIM YARBROUGH: Okay. Okay. I'm going to
 19 go take another leak and we'll get started on
 20 Petite.
 21 BILLY BELK: Is there a way to mask
 22 steroids, the use of it, so it's not -- so it doesn't
 23 show up in the blood tests, you know, like right
 24 before the World Games? And doesn't Major League
 25 Baseball test regularly?

1 BRIAN McNAMEE: There's a lot. But they
 2 don't take blood tests for steroids, just urine. You
 3 can ask any of them.
 4 BILLY BELK: I mean, was it anything that
 5 you studied up on and you were doing for Roger?
 6 BRIAN McNAMEE: No -- no, I didn't -- how
 7 do I say it? You see, my take -- my -- my -- I'm
 8 not -- and I'm not sugar-coating this. I -- in my
 9 profession, all I did was educate. The more that
 10 came out, I tried to get more information on it to
 11 give to you, to teach you, knowing that you were
 12 going to make your own decision.
 13 BILLY BELK: Okay.
 14 BRIAN McNAMEE: Uhm -- I would not -- if
 15 Roger came to me and said, "Mack, I've got a drug
 16 test tomorrow, you know; and I took this, this, and
 17 that and that," I would do some research and see what
 18 he could do to pass it or whatever to help him. But
 19 I never got involved -- I didn't -- you know, I
 20 didn't get involved with masking. I didn't get
 21 involved with -- that was -- I didn't -- I had no
 22 idea why they would do that. They didn't test for
 23 it. You know, there was no testing until '04.
 24 BILLY BELK: When did Major League
 25 Baseball ban steroid use or human growth hormone?

1 BRIAN McNAMEE: In 2003, they did a league
2 test and they said if 5 percent or above failed, then
3 they would institute a year-round test. If 5 percent
4 or more failed, they instituted the test in '04 for
5 steroid -- for steroids. And then in 2005, they
6 banned amphetamines and growth hormone. So 2004.

7 BILLY BELK: So all this that you talked
8 about was before it was actually banned from Major
9 League Baseball?

10 BRIAN McNAMEE: Yeah.

11 BILLY BELK: Without -- and you could
12 legitimately get human growth hormones and
13 testosterone through a doctor's prescription at that
14 time? And you can still get it.

15 BRIAN McNAMEE: Yeah, but that's something
16 I just learned through the media. I didn't know
17 nothing about that. Yeah, you can get prescriptions
18 for anything.

19 BILLY BELK: Uh-huh.

20 BRIAN McNAMEE: I mean, I found out about
21 it through Albany in their investigation in
22 Morelaski's case (phonetic). I don't know of
23 anybody. I know guys -- some guys got amphetamines
24 on-line, but I don't know anybody that got steroids
25 personally on-line.

1 needle, so....

2 JIM YARBROUGH: Okay. Are we ready to
3 move on to Andy?

4 BILLY BELK: Yeah, I think so.

5 BRIAN McNAMEE: Andy's quick.

6 Q. (BY JIM YARBROUGH) Okay.

7 A. It's -- again, I have to check this. I think
8 it's -- I believe it's 2001 -- no, no. I'm sorry.

9 It's 2002 -- uhm -- in the winter of 2002 Andy
10 started to -- with Roger on a workout day in front

11 of -- Justin Thompson was there, C.J. Nitkowski,
12 Roger, and Andy. And I just -- for two years, I've

13 been telling C.J. Nitkowski not to take steroids.

14 Q. (BY JIM YARBROUGH) I'm sorry, who are the
15 guys again, C.J. --

16 A. C.J. Nitkowski, Justin Thompson, Andy, and
17 Roger --

18 Q. Thompson?

19 A. -- and myself.

20 Q. And what's -- how do you spell Nitkowski's
21 last name?

22 A. N-i-t-k-o-w-s-k-i.

23 Q. Okay.

24 A. Uhm -- Andy and C.J. were long-tossing in
25 Roger's gym and Roger started talking about drugs. I

1 BILLY BELK: Uh-huh.

2 BRIAN McNAMEE: I've never looked at it
3 on-line. I never looked at a place to get it
4 on-line.

5 BILLY BELK: Would Radomski, also, provide
6 setups, you know, for the injection, syringes, and
7 the needles and all that?

8 BRIAN McNAMEE: Not that I know of.

9 BILLY BELK: So you would get that
10 separate? Where would the setups come from? He
11 provided vials, right, Radomski?

12 BRIAN McNAMEE: And the syringes.

13 BILLY BELK: So he would -- he would
14 provide the syringes?

15 BRIAN McNAMEE: Yeah.

16 BILLY BELK: Okay. That's what I was
17 asking you.

18 BRIAN McNAMEE: All right.

19 Q. (BY JIM YARBROUGH) In other words, there's no
20 record of you buying syringes at a store or something
21 like that?

22 A. It's -- you need a prescription for the
23 syringes. It's just like a drug. You can't buy
24 them. You -- it's actually, I think, a felony to
25 have in your possession. It's like a drug, having a

1 don't know what drugs, but Andy --

2 Q. This is at Roger's house?

3 A. In Roger's gym.

4 BILLY BELK: Like --

5 Q. (BY JIM YARBROUGH) At his house?

6 BILLY BELK: -- performance-enhancing drugs
7 or steroids --

8 BRIAN McNAMEE: Performance-enhancing
9 drugs. Roger -- and Andy starts yelling at me

10 because I, basically, told Andy what to eat, what to
11 take, when to piss. He's long-tossing with C.J. and

12 he goes, "Why wouldn't you -- why wouldn't you
13 have" -- and this is -- and I didn't hear what Roger

14 said. But, then, I picked up on it. And Andy goes,
15 "You know about this stuff? Why didn't you -- why

16 didn't you tell me about it?" You know, I basically
17 had Andy taking vitamins.

18 And I -- "So, why would I tell you about
19 it, Andy? It's not something that I'm involved -- I

20 don't -- it's not something I'm involved with."

21 He goes, "Yeah, but Roger's doing it. He
22 says it makes him feel great, this, that, and the
23 other thing."

24 And I said, "Andy, first off, it's
25 illegal. You need a prescription. It's illegal."

1 And he just looked at me and he goes, "All
2 right. Well, never mind." That was the end of that.
3 Then the season starts. He got hurt in, I
4 think, June. He went on a 15-day DL. And two days
5 before he left -- they were sending him down to
6 camp -- he goes, "Mack, you know, I've been thinking
7 a lot about it. I'm thinking about doing some growth
8 hormones," because he was having a lot of problems
9 with his elbow.

10 And I told him -- I said, "Andy, you don't
11 need steroids. Why bother? You know, what's it
12 going to do?"

13 And he goes: Yeah, but you know what,
14 it's being bothering me all year. I'm scuffling.
15 I've been doing everything, all the exercises, all
16 the rehab. So, what's there to lose?" And he goes,
17 "Can you get it?"

18 And I said, "Well, I have a couple of
19 bottles." I said, "You know, if you're hell-bent on
20 doing it, then" -- he was flying me down anyway.

21 I told the government -- I don't know how
22 the -- how the growth hormone got there down in
23 Tampa. I don't know. I don't remember how it got
24 there. Obviously, I didn't transport it. I might
25 have given it to him and he rode it down. I might

1 have mailed it. I have no idea. And I think it was
2 like two bottles. He took it -- I think he took it
3 morning and night for two days, and that was it.

4 Q. (BY JIM YARBROUGH) Is that --

5 BILLY BELK: Did you give the shots or
6 did --

7 BRIAN McNAMEE: I gave the shots.

8 Q. (BY JIM YARBROUGH) So he took it -- I mean,
9 it wouldn't have been any more than four injections?

10 A. No.

11 Q. And what was that again?

12 A. Growth hormone in his belly button. I shot
13 him.

14 Q. Did the -- did the conversation at Roger's
15 gym, did you talk about that with the group?

16 A. No.

17 Q. Okay.

18 A. All I -- I didn't even hear what Roger really
19 said. All I know is I -- I picked up on Andy yelling
20 at me about not telling him about it. So right away
21 I picked up on what Roger must have said. So you'd
22 have to ask Roger what he said. I don't know if
23 Roger was talking about steroids or growth hormone.
24 All I know, is Andy wanted to know right about it
25 and --

1 Q. Well, what did --

2 A. -- obviously, Andy must have said something
3 about injecting something that made me -- confirm to
4 me that I knew what he was talking about. And, then,
5 I told him the reason why would I -- I never talked
6 to anybody about it. I never -- why would I bring it
7 up? I never brought it up to anybody, to take, to
8 do.

9 All I did was, if players came to me, I
10 told them what it was. Uhm -- I made a mistake once,
11 too, because one guy was taking horse shit; and
12 that's when I told him to go and call this guy,
13 Segui, who ended up handing this guy off to Radomski.
14 You know -- and that was it, because the guys - it
15 was such a drug culture, these guys were taking
16 crack, let alone not knowing what to do or how to do
17 it, you know.

18 And I made the mistake of taking my 'crete
19 to the -- you know, over the line where -- as far as
20 my job spec and my job responsibilities making sure
21 these guys are always safe and making sure they're
22 not going to get hurt, blah-blah-blah-blah-blah.
23 This culture was there, so....

24 Q. Brian, the deal with Andy, he was on the DL
25 list the spring -- that was in 2002?

1 A. Yeah, and he -- they asked -- and he didn't
2 pay for that.

3 Q. And that was in Tampa?

4 A. Yeah.

5 BILLY BELK: No, no.

6 Q. (BY JIM YARBROUGH) And he didn't pay?

7 BILLY BELK: That was just you showing him
8 what it was like and he stopped it. Why? You didn't
9 have enough?

10 BRIAN McNAMEE: He just did it for, like,
11 two days.

12 BILLY BELK: So what -- you said you only
13 had a small portion of it, right?

14 BRIAN McNAMEE: Right, he only did two
15 days.

16 BILLY BELK: He didn't want to order
17 anymore? Did you use up the samples you had?

18 BRIAN McNAMEE: That was it. That was it.
19 He didn't --

20 Q. (BY JIM YARBROUGH) Did that come from
21 Radomski?

22 A. -- we never talked about it again.

23 Q. Did that come from Radomski?

24 A. Yeah.

25 BILLY BELK: Did you tell Andy you could

1 get him more if he wanted it or did he just decide he
2 didn't want to take anymore or what? Why did it
3 stop?

4 BRIAN McNAMEE: You'll have to talk to
5 Andy. I don't remember. I just know that was it.

6 Q. (BY JIM YARBROUGH) How did the question come
7 up with Andy with the government? What did they ask
8 you?

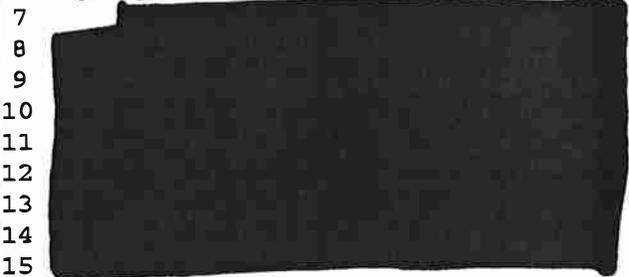
9 A. They just -- I don't like -- because, I guess,
10 whatever they -- oh, you know what, they did ask
11 something about Andy that was messed up.



1 never knew anything about it. I trained this guy all
2 the time.

3 Q. Involved with what?

4 A. BALCO. And I had no idea about it. I figured
5 if anyone knew, I would know. But he never said
6 anything to me.



16 Q. Spring training 2002, he's on the DL list, and
17 he --

18 A. It wasn't spring training.

19 Q. It wasn't spring training?

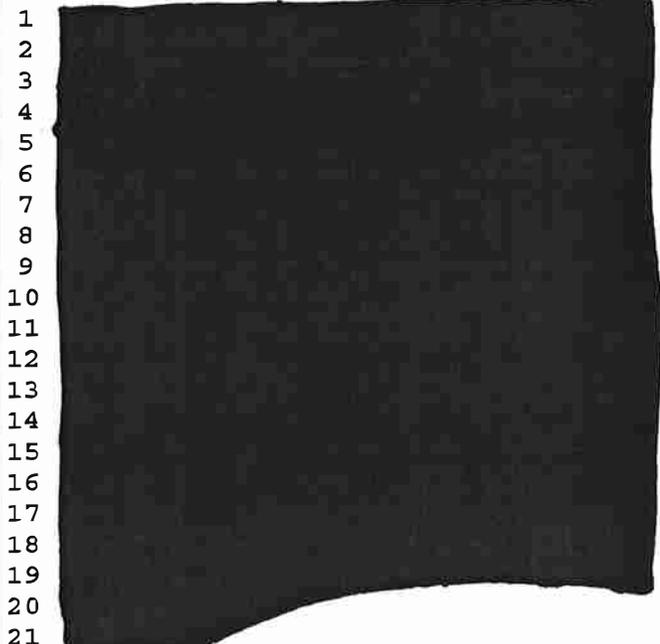
20 A. It was, like, June --

21 Q. Okay.

22 A. -- he went on the DL.

23 Q. And he took it, maybe, four times over a
24 two-day period and that was it, growth hormone?

25 A. (No audible response.)



22 A. Not that I know of. You know, one of my best
23 friends in -- one of the closest guys I've ever been
24 to, even closer than Roger and Andy, Randy Vallotti
25 (phonetic), I never -- he was involved with BALCO. I

1 Q. Okay.

2 BILLY BELK: Does the government know
3 about the conversation in the winter of 2002 with
4 Justin Thompson --

5 BRIAN McNAMEE: No.

6 BILLY BELK: -- and C.J.?

7 Q. (BY JIM YARBROUGH) Brian, is there anything
8 else? I mean, I know we've -- we've asked you a ton
9 of questions and you've been very forthcoming talking
10 to us. Is there anything that you can think of,
11 maybe, that we hadn't touched on or that you think
12 would be important for us to know with regards to
13 these two guys?

14 A. Well, I asked you for something in writing
15 that Roger and Andy had hired you guys.

16 Q. Yeah. Do you want me to show it to you?

17 A. Yeah, I wanted -- I wanted it, but I want -- I
18 want to take a break.

19 Q. I mean, you talked to Jimmy so I figured you
20 kind of --

21 A. I called -- Jimmy pissed me off. Jimmy pissed
22 me off. I want -- I want you guys to take what you
23 got and maybe -- there's unbelievable amounts of food
24 restaurants, diners, deli's. Why don't you -- if you
25 want to go get something to eat and bring it back,

1 you're more than welcome to do that. You want to go
 2 sit down and get something to eat and look that over
 3 and maybe make a wish list up --
 4 BILLY BELK: I'd like that.
 5 BRIAN McNAMEE: -- but I want you out of
 6 the house for a little bit. Let's take a break.
 7 I've got to make some calls and --
 8 BILLY BELK: But we can come back and talk
 9 to you some more after we've talked?
 10 BRIAN McNAMEE: Right.
 11 BILLY BELK: And then we'll go through
 12 what we just heard.
 13 BRIAN McNAMEE: Right. How come he didn't
 14 put size 7 on it?
 15 Q. (BY JIM YARBROUGH) I'm sorry?
 16 A. He didn't put size 7 on it.
 17 Q. Size 7? What are you talking about?
 18 A. The size --
 19 Q. Who, Roger?
 20 A. I'm just kidding. That's a joke. You know
 21 what, it's hard talking to you guys, because you're
 22 not -- I mean, you're working for them. You don't
 23 know --
 24 Q. We don't know --
 25 A. You're not involved?

1 Q. No.
 2 A. No, no. This is good.
 3 Q. I mean --
 4 A. Yeah, what I'm going to do is --
 5 BILLY BELK: Let me ask you a couple more
 6 questions I just thought about. We talked about
 7 Roger would pay you for training and he would have
 8 the money wired into your account. Did any of
 9 that --
 10 BRIAN McNAMEE: I mean, Roger -- Roger --
 11 you know what, I think Roger did pay for the drugs
 12 once. I just didn't want to tell the government
 13 that. So I'm telling you what I told the government.
 14 BILLY BELK: Well, how much would that
 15 cost?
 16 BRIAN McNAMEE: But he never paid me in
 17 check. It was cash. I don't know. Maybe a grand.
 18 I don't know. But, like I said, it's -- it was hard
 19 for me to sit with the government where a guy like
 20 Radomski or you know Greg Anderson, that was their
 21 life, "clients doing stuff, clients taking stuff,
 22 guys buying stuff."
 23 This was not my life, so I -- hey, other
 24 than telling them after almost going to jail about
 25 injecting them, I was "forgazey" on everything, which

1 means "vague." I just told them as little as
 2 possible without it coming back to get me locked up.
 3 Uhm -- they threatened me to do -- if I did something
 4 like this, I would get locked up. If I talked to
 5 anybody, I would get locked up.
 6 Right now, I'm firing my lawyer because I
 7 don't want to talk -- I'm getting rid of him because
 8 I don't want him saying anything to the media or
 9 anything. So I -- my name is in the paper today in
 10 the Daily News as being linked to Radomski, also, the
 11 trainer of Roger and Andy. So that was today.
 12 Tomorrow, it's going to be a disaster.
 13 So -- I wasn't supposed to move out. I
 14 had a place to stay at my sister's house, which is
 15 two blocks from my house. My kids are ten, seven,
 16 and three. I coach all their sports, but I got this
 17 house on Monday because I have to get out of there.
 18 My house is ten miles west. So I had to get out of
 19 the community. It's a small community, more --
 20 smaller than this.
 21 Uhm -- I told -- my -- as far as me
 22 getting sick and ill to myself, it was because being
 23 one of the best cops in New York, I always -- I took
 24 hits for guys. I never was a rag. This is going to
 25 present me as a rag, if it's not told the way it was.

1 I'm not allowed to tell the media that the government
 2 put a gun to my head. I'm not allowed to say that.
 3 So the people that are reading this are
 4 going to say, "Well, McNamee went to Mitchell and
 5 told them everything," which is not what I did. As
 6 soon as I felt comfortable enough about going to
 7 jail, because my life can't get any worse, that's
 8 when I called Murray. Because, right now, I'm pretty
 9 comfortable with going to jail. I can't afford any
 10 more attorneys. I got no money, so....
 11 BILLY BELK: Let me ask you this: Are you
 12 comfortable with us saying -- and I'm saying that
 13 "collectively" -- saying "Look. The government put a
 14 gun to his head and, you know, putting all kinds of
 15 stuff and" --
 16 BRIAN McNAMEE: I don't -- I don't know,
 17 man. I -- I -- you know how I feel comfortable with
 18 that, is if I had something written guaranteeing that
 19 my family would be taken care of?
 20 BILLY BELK: Well --
 21 BRIAN McNAMEE: I mean, think about it.
 22 BILLY BELK: Yeah.
 23 JIM YARBROUGH: How --
 24 BRIAN McNAMEE: What would you do? But,
 25 you know what, Roger and Andy -- and this is -- you

1 know, Roger and Andy will be fine without baseball.
2 Roger and Andy don't have to give back any money.
3 Andy's going to play next year for 60 million
4 dollars.

5 I'm done. I'm done right now. I'm done
6 working. No one's going to hire me. I'm -- I don't
7 know. I mean, last year, I was a college professor;
8 but because of this, I'm not.

9 So I would love to say that you can
10 say that, but that will open up the door for me
11 getting -- they can find anything with taxes, first
12 of all, especially since a lot of my business is
13 cash. But I pay a lot of money for a good
14 accountant. I'm -- you know, I might have missed a
15 hundred year or there or maybe a thousand. I don't
16 know, but I'm comfortable with anyone coming after me
17 tax-wise.

18 But they can say or do whatever they want
19 that way. Obviously, they said or did whatever they
20 want and they said it in the investigation. They
21 gave Mitchell my bank records.

22 So you guys -- your main sole purpose is
23 to protect your clients, not me, all right? You guys
24 can hang me out to dry to protect your clients, and I
25 am prepared for that. The thing is, I don't know how

1 to answer that. No, I don't think so. I really
2 don't.

3 Because, right now, what do I do? Call my
4 attorney, who I want to fire and say, "Oh, yeah,
5 remember that? You know, you told me not to talk to
6 anybody or they said I was going to lock me up, well,
7 I did." So, how do I -- and then to ask them, "Oh,
8 would mind? You know, those guys that you told me
9 not to talk to, and then to say that I've got a gun
10 to my head?"

11 BILLY BELK: I mean, that's not --

12 BRIAN McNAMEE: I don't know how you play
13 this.

14 BILLY BELK: Well, I don't think anybody
15 does. You know, that's --

16 BRIAN McNAMEE: Obviously, that's -- but
17 that's the truth, and I'm going to --

18 Q. (BY JIM YARBROUGH) Let me ask you something
19 along the lines of the truth. And I want you to -- I
20 mean, I want you to shoot absolutely straight with
21 me. Hypothetically, if -- let's say -- let's say,
22 hypothetically, if Roger Clemens said, "That is
23 absolutely bullshit. None of that ever happened," is
24 there any doubt in your mind that what you told us
25 today is the absolute truth?

1 A. Well, you guys made the trip here. I would
2 hope to think that I would only tell the truth and if
3 you thought -- you first said that Roger and Andy
4 would love to talk to me, but they can't and you know
5 why. Why would they want to talk to me if I would
6 only -- they know I would only tell the truth.

7 Q. Okay.

8 A. And Jim Murray would only know that I'm
9 telling the truth. You know what my biggest problem
10 is, "telling the truth." That's my biggest problem.

11 Q. Hey --

12 A. And you know what --

13 Q. -- Brian --

14 A. -- I told you more truth than I told the
15 federal government, who wants to lock me up.

16 Q. What's -- is there anything in your -- I mean,
17 I know this incident in Florida. I know that that's
18 been talked about in the media, the sexual assault
19 allegation. Is there anything in your background
20 from a credibility standpoint that they're going to
21 be able to use against you?

22 A. Who?

23 Q. Anybody. If anybody looks at your
24 credibility, is there anything in your background
25 that if someone picked you apart -- and I'm assuming

1 the government did, because they told you they knew
2 more about you than you did. Do you think there's
3 anything out there that's going to hurt your
4 credibility? I mean, you sound to me like a very
5 credible person.

6 A. Just those articles that I said I never gave
7 them steroids, which they confronted that with
8 Mitchell; but I don't -- I mean, the only people that
9 are going to look to hurt my credibility are you
10 guys. I mean, they didn't really talk to me about
11 anybody else, except Roger and Andy. So, that would
12 be up to you to find out.

13 I mean, you're asking me to give you
14 answers to try and help your clients. You've got to
15 do that on your own. I mean, the Florida thing, the
16 fact that I lied in the papers and who knows what
17 else. But, I mean, as far as I'm concerned, the
18 only people that were going to -- and I'm prepared
19 for this -- that are going to hurt my credibility are
20 Roger and Andy, which is what any attorney or agent
21 would say to do.

22 BILLY BELK: Well, if -- and you have
23 alluded to already that you've already been quoted a
24 number of times by a number of sources that you've
25 never provided steroids for anybody and that you

1 weren't involved in that.
 2 BRIAN McNAMEE: But they combatted that
 3 with they said I lied about it. So I don't know. I
 4 don't know -- are you asking me to help you or to
 5 help your clients?
 6 BILLY BELK: No, no, I'm just saying, just
 7 so that --
 8 BRIAN McNAMEE: Jim, is that what you're
 9 asking me? Is that what you're asking me to help you
 10 to help your clients? I mean, what -- why would you
 11 want to know my credibility as far as -- there's no
 12 one else here that -- I mean, if there were other
 13 people that I told you about, what do you care about
 14 them? Maybe Knoblock and Grimsley, but those guys --
 15 BILLY BELK: Well, Brian, obviously, you
 16 care about Roger and Andy or otherwise you wouldn't
 17 have let us come over here and talk to you, right?
 18 BRIAN McNAMEE: Right. But why would you
 19 ask me about my credibility if -- if I agreed to it,
 20 when I was told not to, and the only people you're
 21 trying to protect are Roger and Andy?
 22 BILLY BELK: Right.
 23 BRIAN McNAMEE: Right. So, who else is
 24 going to be looking to hurt my credibility?
 25 JIM YARBROUGH: Well, I think that any --

1 BRIAN McNAMEE: So I'm saying that's up to
 2 you. I'm not going to help you with that. As far as
 3 my credibility, I'm looking at it right now. You
 4 guys are taking these notes just like the Feds did
 5 and you're looking at any way -- first of all,
 6 obviously, you know that's the truth. You don't have
 7 to ask me that. You know it is. So, basically,
 8 you're asking me to help you more.
 9 JIM YARBROUGH: No, no. No, I'm not
 10 asking you to -- don't read into my question. Don't
 11 read anything into my question.
 12 BRIAN McNAMEE: Well, you're asking me
 13 about my credibility. So, who else is in the room --
 14 BILLY BELK: Well, I'll --
 15 BRIAN McNAMEE: -- that has all the
 16 clients?
 17 BILLY BELK: Let me tell you why, because
 18 the very topic came up to us to ask that, you know,
 19 he was a cop when he retired. You know, why did he
 20 leave the force, and things like that.
 21 BRIAN McNAMEE: Well, you should already
 22 know that before you came here.
 23 JIM YARBROUGH: Well, we didn't because we
 24 didn't have enough time. Remember, we just got
 25 involved in this?

1 anybody could be when this report comes out.
 2 BILLY BELK: Some of the newspaper
 3 articles, like some of the Sports Illustrated.com
 4 articles are bouncing back and forth, "Who do you
 5 believe? Do you believe these guys?" You know,
 6 they're already attacking credibility.
 7 BRIAN McNAMEE: I think that Mitchell has
 8 the smoking gun. I told them I injected them. You
 9 can call me a liar. You can do whatever you've got
 10 to do. I mean, what do you want? If you want me to
 11 say -- I mean, you're telling me --
 12 JIM YARBROUGH: We're not telling you we
 13 want you to say anything, first of all.
 14 BRIAN McNAMEE: You're asking me about --
 15 what else is out there by about my credibility,
 16 that -- whatever I tell you could only help you.
 17 JIM YARBROUGH: Brian, but -- the only
 18 thing that we want to hear from you, Brian, is the
 19 truth. That's -- that's all. I just want to make
 20 sure that we've got the truth and that we've not got
 21 embellishments or anything like that.
 22 BRIAN McNAMEE: Well, that's up to you to
 23 decide. You're here. That's why you -- that's why
 24 we didn't do this over the phone.
 25 JIM YARBROUGH: Right, exactly.

1 BILLY BELK: We read newspaper articles.
 2 BRIAN McNAMEE: I figured you'd say,
 3 "Well, we looked at your background. We knew you
 4 were a cop."
 5 JIM YARBROUGH: And that was in a
 6 newspaper article.
 7 BRIAN McNAMEE: Right.
 8 BILLY BELK: We read the quote from your
 9 lieutenant, your partner who said --
 10 JIM YARBROUGH: They gave you glowing
 11 recommendations.
 12 BILLY BELK: And you took the wrap for
 13 something --
 14 BRIAN McNAMEE: That was the only good
 15 article that was probably ever written.
 16 JIM YARBROUGH: It was a great article.
 17 BRIAN McNAMEE: Well, then, that was it.
 18 It got buried. But they -- no one will say anything
 19 about that, so.... Listen, I don't know. Obviously,
 20 I need help; but I'm also not here to hurt myself.
 21 JIM YARBROUGH: No, I didn't understand.
 22 And I didn't ask you that question to get you -- to
 23 get you riled up. And I don't want to do that. I
 24 appreciate you giving us the opportunity to sit down
 25 and talk to you. And I can guarantee you that Andy

1 and Roger appreciate you giving us that opportunity.
 2 We will -- we'll go down the road. We'll
 3 take your advice. We'll go down the road. We'll
 4 stop and get something to eat and look at our notes
 5 and talk it over and give you a call back, one way or
 6 the other, and say, "Hey, we're out of here" or, you
 7 know, "There's a couple of things we'd like to follow
 8 up with you on."
 9 BRIAN McNAMEE: All right.
 10 JIM YARBROUGH: And you've got my card.
 11 If you want to call me any time of the day or night,
 12 Brian, you feel free to give me a call if you've got
 13 a question or anything. And it's not -- I don't look
 14 at this as -- I mean, it's -- I know it's kind of a
 15 one-way street; because we, obviously, since we
 16 represent and we're part of the law firm and since we
 17 represent Andy and Roger, we can't tell you what they
 18 have told us.
 19 So, it is sort of a one-way street. It's
 20 kind like the FBI coming in here and sitting down and
 21 saying, "Okay. Give us all your information, but
 22 we're not going to give you any of our information."
 23 BRIAN McNAMEE: Well, I can't see Andy
 24 telling you anything different than what I told you
 25 and Roger probably, because he doesn't remember any

1 of it. I don't know. I can't see Roger remembering
 2 all that, but this -- he's got a lot of stuff going
 3 on. But, you know what, if they told you any
 4 different, it would be only be vaguer; but I'd be
 5 surprised if they told you anything different, but I
 6 don't know.
 7 JIM YARBROUGH: Okay.
 8 BRIAN McNAMEE: Uhm -- I would like to
 9 know how you're going to -- I mean, I don't know
 10 what's going to happen. They're going to have the
 11 press conference tomorrow at 2:00 o'clock?
 12 BILLY BELK: The report says 1:00 o'clock.
 13 JIM YARBROUGH: At 1:00 o'clock or 2:00
 14 o'clock?
 15 BILLY BELK: Probably 1:00 o'clock.
 16 JIM YARBROUGH: I think it's at 1:00
 17 o'clock; but, I mean, for sure, sometime tomorrow
 18 afternoon.
 19 BRIAN McNAMEE: Well, is this -- I mean,
 20 how are you going to -- I mean, obviously, how are
 21 you going to play this as far as talking to me? I
 22 mean, is that going to come out? Because that's not
 23 going to be good.
 24 JIM YARBROUGH: That's -- that's -- I --
 25 BRIAN McNAMEE: I mean, we can't -- this

1 can't --
 2 JIM YARBROUGH: I told you that we're not
 3 going to go to the media and say, "We talked to Brian
 4 McNamee and here's what Brian McNamee said." I can't
 5 tell you exactly how Rusty is going to address the
 6 media, but I'm certain that he's going to address the
 7 media by not saying directly "You said this" or "You
 8 said that." It wouldn't be helpful to us, would it?
 9 BRIAN McNAMEE: I don't -- I don't know.
 10 JIM YARBROUGH: No, it wouldn't be.
 11 BILLY BELK: Right, no way it would be. I
 12 mean, it's --
 13 BRIAN McNAMEE: No, I'm just saying --
 14 JIM YARBROUGH: But what's good -- what's
 15 good for us, is that we know now what -- I mean,
 16 we've got an interview of what's coming out --
 17 BRIAN McNAMEE: Right.
 18 JIM YARBROUGH: -- so we can start -- we
 19 can sort of start the PR program as to what we're
 20 going to do and how we're going to -- how we're going
 21 to come back with it.
 22 BRIAN McNAMEE: Right. And it has to be
 23 known, Roger and Andy have to know that -- how this
 24 went down.
 25 JIM YARBROUGH: Right. And that's good

1 for us to know how it went down because -- I mean, I
 2 think that myself or Billy, either one, could -- we
 3 could both put ourselves in your situation, and -- I
 4 mean, I know how exactly how that works.
 5 BRIAN McNAMEE: I called Keeker,
 6 (phonetic) the attorney in San Francisco that was
 7 going to represent Monk (phonetic). I was looking
 8 for another attorney to help me out, because I didn't
 9 want to come out. And I figured that if I told this
 10 guy who had -- who knew -- who had a lot of
 11 experience going against the Feds, that maybe if he
 12 took it pro bono, that at least they wouldn't allow
 13 this report to come out.
 14 But I needed someone to help me. I
 15 can't -- I can't afford a big-time attorney. And,
 16 obviously, in the situation I'm in now, I can't -- I
 17 can't go to the media and say what happened. I can't
 18 go to the -- I can't go to the media and say "I
 19 reached out to Roger and Andy," because the Feds will
 20 have to listen to everything I'm saying.
 21 JIM YARBROUGH: Right.
 22 BRIAN McNAMEE: So I'm still in a -- a
 23 rock and a hard place, as far as -- that's the stuff
 24 you do; and, you know, I hope it helps.
 25 JIM YARBROUGH: It is very helpful.

1 BRIAN McNAMEE: I hope it salvages
2 whatever relationship I had with Andy and Roger.
3 But, you know, I will always -- as they're going to
4 do whatever their professional lawyers tell them what
5 to do and that's best for them in their best interest
6 and I'm going to take whatever -- a back seat to
7 that. But in hindsight, no matter what they do, I
8 would prefer that they -- at least they know the
9 truth.

10 JIM YARBROUGH: Right.

11 BRIAN McNAMEE: Because if they never
12 speak to me again, I'm not going to be able to tell
13 them the truth; so....

14 JIM YARBROUGH: They will know --

15 BRIAN McNAMEE: They don't know --

16 JIM YARBROUGH: They will know everything
17 that we know. I can assure you of that.

18 BRIAN McNAMEE: All right.

19 JIM YARBROUGH: All right. Thank you,
20 Brian.

21 BRIAN McNAMEE: You can go down here
22 and --

23 JIM YARBROUGH: Yeah, where's a good place
24 to eat?

25 BRIAN McNAMEE: You can go to [redacted] or

1 say, either, "Hey, we're headed back to the airport"
2 or, "Hey, listen, there's a couple of things we'd
3 like to get straight."

4 BRIAN McNAMEE: All right.

5 JIM YARBROUGH: Is that fair enough?

6 BRIAN McNAMEE: Yeah.

7 BILLY BELK: Or we can come by here or you
8 can come meet us.

9 BRIAN McNAMEE: I've got to get out. All
10 right.

11 JIM YARBROUGH: All right.

12 (End of interview.)
13
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1 [redacted] which is like two or three blocks up --
2 uhm -- those places are real good, if you like bar
3 food and that type, burgers and stuff. [redacted] is
4 real good, but you'll probably run into a couple of
5 different places.

6 BILLY BELK: Okay.

7 BRIAN McNAMEE: You come out of here and
8 you turn around --

9 BILLY BELK: A block away --

10 BRIAN McNAMEE: -- make a right on [redacted]
11 [redacted] and [redacted] is a real place.

12 JIM YARBROUGH: Is it on the left or the
13 right?

14 BRIAN McNAMEE: It's on the right-hand
15 side. It's a real good place --

16 JIM YARBROUGH: All right.

17 BRIAN McNAMEE: -- maybe two or three
18 blocks up.

19 BILLY BELK: Okay.

20 BRIAN McNAMEE: You're not coming back?

21 BILLY BELK: No, we're going to call you.
22 We're going to talk.

23 JIM YARBROUGH: We'd like to go through
24 and look at our notes, talk to each other, and then
25 give you a call no matter what we decide to do

1 THE STATE OF TEXAS :

2 COUNTY OF HARRIS :

3 I, Lori A. Belvin, a Certified Shorthand Reporter
4 in and for the State of Texas, do hereby certify that
5 I have transcribed, to the best of my ability, the
6 recorded interview of Brian McNamee, as transcribed
7 herein.

8 I further certify that I am neither attorney nor
9 counsel, related to, nor employed by any of the
10 parties to the action in which this testimony was
11 taken.

12 I, also, further certify I am not a relative or
13 employee of any attorney of record in this cause, nor
14 do I have a financial interest in the action.

15 Certified to on this, the _____ day of
16 _____, 2007.
17
18

19 _____
Lori A. Belvin, CSR
Certification No. 2572
Expiration Date: 12-31-2009
Notary Public Expiration: 07-10-2010

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